

ESTATE OF
CORA H. SADLER, Deceased

EQUITY NOS. 2336 and 2281
CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

TO THE

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

Come FRANKLIN DUDLEY SADLER, RENA H. POLLARD and JACOB HARTLEY, sole distributees of the Estate of CORA H. SADLER, Deceased, and respectfully show:

FIRST: Petitioners show that under the terms of a decree of this Court rendered February 28, 1950, a settlement of pending litigation over this estate of the late Cora H. Sadler was reached and in accordance with an agreement signed by all parties in interest, it was ordered that the entire assets of said estate be divided equally among your petitioners as the sole distributees of said estate.

SECOND: In paragraph Nine of said decrees and for the purpose of carrying into effect such distribution, it was ordered by this Court "That all real estate now in the name of the late Cora H. Sadler... be sold at private sale at the best price obtainable subject to the approval of this Court. The net price realized therefrom after deducting the expenses of such sale shall be divided equally among Franklin Dudley Sadler, Kirby Wharton as Trustee for Rena H. Pollard and Jacob Hartley."

THIRD: Petitioners further show that they have recently arranged a sale to Mrs. Dorothy B. Cain of Fairhope for the sum of \$1800.00 of a tract of land in the Town of Fairhope, Alabama, title to which was in the late Cora H. Sadler and more particularly described as follows:

ITEM ONE: Begin at the Southwest corner of the Southwest Quarter of the Southwest Quarter of Section Seventeen, Township Six South, Range Two East; thence East along Section line between Seventeen and Twenty, Three Hundred Twenty-nine feet; thence North Seven Hundred Fifty-nine feet to a stake the Southwest corner of said lot; thence North One Hundred Ninety-eight feet; thence East One Hundred Ninety feet to a stake on line between lands of John W. Ettel and H. C. Oswalt; thence along said line Two Hundred Six feet to a stake; thence West Two Hundred Thirty-eight feet to the Southwest corner of lot; containing one

and a quarter acres, more or less, and being the same property conveyed to Cora H. Sadler by deed of Henry V. Oswalt and wife, dated March 2, 1927, and recorded in Deed Book 41 N.S., pages 383-5 of the Probate Records of Baldwin County.

ITEM TWO: From the Southwest corner of Fractional Section Seventeen, Township Six South, Range Two East, according to the U. S. Photolithographic Map, signed by Jas. H. Weakley, Surveyor General, May 19, 1845; thence East on the Section line Three Hundred Twenty-nine feet; thence North on the East margin of Oswalt Street Nine Hundred Fifty-seven feet; for a point of beginning; thence North Sixty-six feet; thence East One hundred Seventy and eight-tenths feet, more or less to the West line of the former John W. Ettel land; thence South Fifteen Degrees, Twenty-five Minutes East along the said West line of the Ettel land Sixty-eight and five-tenths feet; thence West One Hundred Ninety feet, more or less, to the point of beginning, and containing three-tenths acres, and lying in Section Seventeen, Township Six South of Range Two East, according to above described map, and being that property conveyed to Cora H. Sadler by deed of Henry V. Oswalt, et al, dated January 5, 1948 and recorded contemporaneously herewith.

FOURTH: That the price offered is a fair value for the above described land and acceptable to all three distributees.

FIFTH: Petitioners further show that the said Dorothy B. Cain, the purchaser, is ready and willing to carry out the terms of the agreed trade and to pay the purchase price of said land in cash upon approval of this Court as provided in said decree quoted above.

The premises considered, Petitioners pray that the proposed sale here set out be approved and that an Order of this Court be made confirming same conditional upon payment of the entire purchase price to Franklin D. Sadler, approving a deed of the premises properly executed by the distributees and their respective spouses to be delivered in exchange for the full purchase price of Eighteen Hundred Dollars and ordering said Franklin D. Sadler after deduction of the costs and expenses of said sale to divide the net balance remaining among the three petitioners here named. The share of Rena B. Pollard as provided in said decree to be paid to Kirby

Wharton in her behalf as Trustee, taking receipts for such payments to be filed in this cause.

Respectfully submitted,

FRANKLIN D. SADLER

By

Reis Early & Reis Early
His Solicitors

RENA H. POLLARD

By

J. B. Blackburn *By James R. Owen*
Her Solicitor

JACOB HARTLEY

By

John Lane
His Solicitor

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned Notary Public, personally appeared FRANKLIN D. SADLER, who, being duly sworn, deposes and says that the matters alleged in the foregoing petition are true.

Franklin D. Sadler

Subscribed and sworn to before me this the 31st
day of May, 1950.

Elliotte L. Reis Early
Notary Public, State of Alabama at Large

Handwritten notes and signatures on the left margin, including "J. H. Sadler" and "J. H. Sadler, Jr."

Handwritten signature "J. H. Sadler" in the center margin.

Nos. 2281 and 2336

EQUITY

ESTATE
OF
CORA H. SADLER,
deceased

PETITION FOR ORDER
APPROVING SALE OF REALTY

FILED
JUN 16 1950
ALICE L. DICK, Register

RECORDED

Vertical text and stamps on the right margin, including "J. H. Sadler" and "J. H. Sadler, Jr."

Vertical text on the far right margin, including "J. H. Sadler" and "J. H. Sadler, Jr."

ESTATE OF
CORA H. SADLER, Deceased

EQUITY NOS. 2281 and 2336
CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

This cause coming on to be heard upon the petition of Franklin D. Sadler, Rena H. Pollard and Jacob Hartley for the approval by this Court of a sale of a parcel of the real estate of the late CORA H. SADLER as provided by an earlier decree of this Court, and

It appearing that a sale of the property hereinafter described has been made by Franklin D. Sadler to Mrs. Dorothy B. Cain at a price satisfactory to him, Rena H. Pollard and Jacob Hartley; and,

It further appearing that the purposed purchaser has made a deposit of earnest money binding the trade and is prepared to make payment of the entire balance upon the approval of this Court and delivery of a properly executed deed; and

It further appearing that the offer of Eighteen Hundred Dollars is the reasonable value of the land sought to be sold; it is therefore

ORDERED That said sale be confirmed and approved and that a deed with covenants of warranty executed by the three distributees and their respective spouses named describing the land and reciting the consideration paid be and the same is hereby approved and to become valid upon the payment of the consideration in full and delivery of such deed to the land sought to be conveyed, namely:

ITEM ONE: Begin at the Southwest corner of the Southwest Quarter of the Southwest Quarter of Section Seventeen, Township Six South, Range Two East; thence East along Section line between Seventeen and Twenty, Three Hundred Twenty-nine feet; thence North Seven Hundred Fifty-nine feet to a stake the Southwest corner of said lot; thence North One Hundred Ninety-eight feet; thence East One Hundred Ninety feet to a stake on line between lands of John W. Ettel and H. C. Oswalt; thence along said line Two Hundred Six feet to a stake; thence West Two Hundred Thirty-eight feet to the Southwest corner of lot; containing one and a quarter acres, more or less, and being the same property conveyed to Cora H. Sadler by deed of Henry V. Oswalt and wife, dated March 2, 1927 and recorded in Deed Book 41 N.S., pages 383-5 of the Probate Records of Baldwin County.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 6-19-50
Recorded Deed book 154 page 417-18
W. R. Stewart
Judge of Probate

ITEM TWO: From the Southwest corner of Fractional Section Seventeen, Township Six South, Range Two East, according to the U. S. Photolithographic Map, signed by Jas. H. Weakley, Surveyor General, May 19, 1845; thence East on the Section line Three Hundred Twenty-nine feet; thence North on the East margin of Oswalt Street Nine Hundred Fifty-seven feet; for a point of beginning; thence North Sixty-six feet; thence East One Hundred Seventy and eight-tenths feet, more or less to the West line of the former John W. Ettel land; thence South Fifteen Degrees, Twenty-five Minutes East along the said West line of the Ettel land Sixty-eight and five-tenths feet; thence West One Hundred Ninety feet, more or less, to the point of beginning, and containing three-tenths acres, and lying in Section Seventeen, Township Six South of Range Two East, according to above described map, and being that property conveyed to Cora H. Sadler by deed of Henry V. Oswalt, et al, dated January 5, 1948 and recorded contemporaneously herewith.

It is further ORDERED that after deducting the expenses of an abstract of title, of the preparation of the deed and papers relative to said sale and the Federal Documentary stamps and cost of record of all essential documents, that the balance of purchase price remaining be distributed by the said Franklin D. Sadler in equal proportions among Kirby Wharton as Trustee for Rena H. Pollard, Jacob Hartley and said Franklin D. Sadler. It is further

ORDERED That a certified copy of this decree be recorded in the Probate Records of Baldwin County, Alabama, and the costs of the record thereof, as well as the costs of this proceeding, be paid as a part of the expenses of this sale.

Done at Bay Minette this the 16th day of June 1950.

/s/ Telfair J. Mashburn, Jr.

J U D G E

STATE OF ALABAMA,)
BALDWIN COUNTY.)

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the within instrument is a true, complete and correct copy of the Order approving sale of realty and distribution of proceeds in the Estate of Cora H. Sadler, Deceased.

Witness my hand and seal this 19th day of June, 1950.

Alice J. Duck
Register.

A circular diagram showing the distribution of 1000 respondents by age group. The circle is divided into 11 segments, each representing an age group. The segments are labeled with age ranges and the number of respondents in each. The segments are: 18-24 (100), 25-34 (150), 35-44 (200), 45-54 (250), 55-64 (300), 65-74 (350), 75-84 (400), 85-94 (450), 95-104 (500), 105-114 (550), and 115-124 (600).

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STATE OF VIRGINIA,)
COUNTY OF MICHIGAN.)

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Mrs. Duck -

Nos. 2281-2336
EQUITY
ESTATE
OF
GORA H. SADLER,
Deceased

6-16-50

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ESTATE OF

CORA H. SADLER, Deceased

EQUITY NOS. 2281 and 2336

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

This cause coming on to be heard upon the petition of Franklin D. Sadler, Rena H. Pollard and Jacob Hartley for the approval by this Court of a sale of a parcel of the real estate of the late CORA H. SADLER as provided by an earlier decree of this Court, and

It appearing that a sale of the property hereinafter described has been made by Franklin D. Sadler to Mrs. Dorothy B. Cain at a price satisfactory to him, Rena H. Pollard and Jacob Hartley; and,

It further appearing that the purposed purchaser has made a deposit of earnest money binding the trade and is prepared to make payment of the entire balance upon the approval of this Court and delivery of a properly executed deed; and

It further appearing that the offer of Eighteen Hundred Dollars is the reasonable value of the land sought to be sold; it is therefore

ORDERED That said sale be confirmed and approved and that a deed with covenants of warranty executed by the three distributees and their respective spouses named describing the land and reciting the consideration paid be and the same is hereby approved and to become valid upon the payment of the consideration in full and delivery of such deed to the land sought to be conveyed, namely:

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It is further ORDERED That after deducting the expenses of an abstract of title, of the preparation of the deed and papers relative to said sale and the Federal Documentary stamps and cost of record of all essential documents, that the balance of purchase price remaining be distributed by the said Franklin D. Sadler in equal proportions among Kirby Wharton as Trustee for Rena H. Pollard, Jacob Hartley and said Franklin D. Sadler. It is further

ORDERED That a certified copy of this decree be recorded in the Probate Records of Baldwin County, Alabama, and the costs of the record thereof, as well as the costs of this proceeding, be paid as a part of the expenses of this sale.

Done at Bay Minette this the 16th day of June 1950.

Telfair J. Madlbury, Jr.
JUDGE

ALICE J. DUCK, Register

STATE OF ALABAMA,

BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS, That We, J. E. GOODEN and The

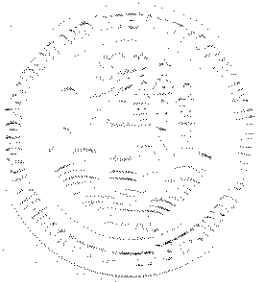
Hartford Accident and Indemnity Company
of Hartford, Connecticut

ARE HELD AND FIRMLY BOUND UNTO THE HONORABLE W. R. STUART, Judge
of the Probate Court of said Baldwin County, and to his successors
in office in the penal sum of FIFTEEN THOUSAND DOLLARS for the
payment of which well and truly to be made, we jointly and severally,
bind ourselves, our heirs, executors, administrators, successors and
assigns.

SEALED WITH OUR SEALS and dated this 24th day of January, A. D. 1949.

THE CONDITION of the above obligation is such that whereas the above
bounden J. E. GOODEN has been appointed Special Administrator ad
colligendum of the Estate of CORA E. SADLER, Deceased, ;

NOW, THEREFORE, if the said J. E. GOODEN shall well and truly per-
form all of the duties which are or may be required of him as such
Special Administrator ad colligendum, then the above obligation to
be void, otherwise to remain in full force and effect.



J. E. Gooden (SEAL)

The Hartford Accident & Indemnity Co.
of Hartford, Connecticut

BY: Jno. S. Huffman (SEAL)
Jno. S. Huffman, Attorney in Fact

Taken and approved this 26 day of January, 1949.

WR Stuart
Judge of Probate, Baldwin Co., Ala.

The State of Alabama)
Baldwin County) In the Probate Court of said County.

In the matter of the Estate of)
Cora H. Sadler, Deceased)

This matter coming on to be heard upon the petition of J. E. Gooden, as Administrator ad Collegendum of the estate of Cora H. Sadler, Deceased, praying that he be allowed partial compensation for his services as such Administrator ad Collegendum, and the Court considering and understanding the same is of the opinion that petitioner is entitled to the relief prayed, it is therefore,

Ordered, Adjudged and Decreed that the sum of Seven Hundred and Fifty Dollars (\$750.00) dollars is hereby fixed as a reasonable and proper amount to be paid J. E. Gooden as Administrator ad Collegendum of the Estate of Cora H. Sadler Deceased, as partial compensation for his services as such Administrator ad Collegendum. It is further ordered, adjudged and decreed that the Administrator ad Collegendum, out of the assets of said estate, in his possession, pay said sum to J. E. Gooden, as Administrator ad Collegendum, as partial compensation for his services as such administrator, and that said payment, when made, is hereby approved as a proper charge against said assets, and a proper credit to said administrator ad collegendum.

All other questions are hereby reserved.

Ordered, Adjudged and Decreed this the 8th day of August, 1949.

W. R. Stewart
Probate Judge.

STATE OF ALABAMA:

COUNTY OF BALDWIN:

Before me, the undersigned Notary, personally appeared this day ELLIOTT G. RICKARBY, who, being sworn, says that he is a member of the firm^{of} RICKARBY & RICKARBY, and that the attached account and each item thereof is a true and correct statement of the indebtedness of the Estate of Cora H. Sadler to Affiant's firm for professional services rendered between February 1, 1944 and April 10, 1947, and that the sum of \$325.00, after allowances of all proper credits is still due and unpaid.

Elliott G. Rickarby

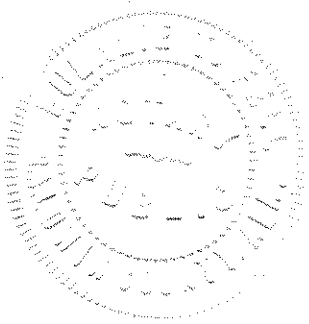
Subscribed and sworn to before me on this the 23rd day of July, 1949.

Pauline T. Feil

Notary Public, Baldwin County, Alabama.

My Commission Expires

Oct-6-1951



ESTATE OF CORA H. SADLER

DECEASED

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

DECREE DISCHARGING SPECIAL
ADMINISTRATOR AD COLLIGENDUM

This cause coming on to be heard on this date and being heard in open court, is submitted on the petition for final settlement filed in this cause on this date by J. E. Gooden as special administrator ad colligendum of this said estate and it appearing to the court that the only persons interested in this cause are Jacob H. Hartley, who was represented at the hearing in the said petition for final settlement by H. M. Hall, as his solicitor, Frank D. Sadler, who was present at the said hearing and who was represented by E. G. Rickarby, as his solicitor, and Rena Pollard, who was represented at the said hearing by J. B. Blackburn, as her solicitor; upon consideration of all of which it appears to the Court that the said special administration ad colligendum should be settled and the administrator and the surety on his bond finally discharged: Whereupon, it is therefore

ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The said administrator is authorized, empowered, instructed and directed to pay the Court costs incurred in this proceeding amounting to \$37.35.
2. After payment of the court costs incurred in this proceeding the said special administrator shall divide the funds remaining in his possession which will amount to \$9293.38 and pay the said funds to Jacob H. Hartley, as executor of and under the Last Will and Testament of Cora H. Sadler, deceased, in three equal checks.
3. The said special administrator shall deliver all other property in his possession or under his control to the said Jacob H. Hartley, as executor of and under the Last Will and Testament of Cora H. Sadler, Deceased, and take his receipt therefor.
4. Upon compliance with the terms and provisions of this decree and upon the filing by the said special administrator in this cause of receipts for the payments provided for in this decree, he and the surety on his bond shall be and they are hereby fully and finally relieved of all other and further liability because of the administration of the said estate.

ORDERED, ADJUDGED AND DECREED on this the 7th day of March, 1950.

Telfair J. Mashburn, Jr.
Judge

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the 22nd day of March
1950.

Register of Circuit Court,
In Equity.

ESTATE OF CORA H. SADLER
DECEASED

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

DECREE DISCHARGING SPECIAL
ADMINISTRATOR AD COLLIGENDUM

This cause coming on to be heard on this date and being heard in open court, is submitted on the petition for final settlement filed in this cause on this date by J. E. Gooden as special administrator ad colligendum of this said estate and it appearing to the court that the only persons interested in this cause are Jacob H. Hartley, who was represented at the hearing in the said petition for final settlement by H. M. Hall, as his solicitor, Frank D. Sadler, who was present at the said hearing and who was represented by E. G. Rickaby, as his solicitor, and Rena Pollard, who was represented at the said hearing by J. B. Blackburn, as her solicitor; upon consideration of all of which it appears to the Court that the said special administration ad colligendum should be settled and the administrator and the surety on his bond finally discharged: Whereupon, it is therefore

ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The said administrator is authorized, empowered, instructed and directed to pay the Court costs incurred in this proceeding amounting to \$37.35.
2. After payment of the court costs incurred in this proceeding the said special administrator shall divide the funds remaining in his possession which will amount to \$9293.38 and pay the said funds to Jacob H. Hartley, as executor of and under the Last Will and Testament of Cora H. Sadler, deceased, in three equal checks.
3. The said special administrator shall deliver all other property in his possession or under his control to the said Jacob H. Hartley, as executor of and under the Last Will and Testament of Cora H. Sadler, Deceased, and take his receipt therefor.
4. Upon compliance with the terms and provisions of this decree and upon the filing by the said special administrator in this cause of receipts for the payments provided for in this decree, he and the surety on his bond shall be and they are hereby fully and finally relieved of all other and further liability because of the administration of the said estate.

ORDERED, ADJUDGED AND DECREED on this the 7th day of March, 1950.

Telfair J. Mashburn, Jr.
Judge

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the 22nd day of March
1950 .

Register of Circuit Court,
In Equity.

ESTATE OF
CORA H. SADLER,
Deceased

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copy included in case
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2336.

Mr. H. A. Burns, having been first duly and
legally sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. H. M. Hall

Q. This is Mr. H. A. Burns?

A. Yes sir.

Q. Mr. Burns, did you know Mrs. Cora H. Sadler during her lifetime?

A. Yes sir.

Q. Did you know her on December 8, 1947?

A. Yes sir.

Q. Was she at that time over the age of twenty-one years?

A. Yes sir.

Q. Was she of sound mind and capable of making a will?

A. Yes sir.

Q. I show you an instrument (handing witness instrument), purport-
ing to be executed by Mrs. Cora H. Sadler. Was that signed by
Mrs. Sadler?

A. On the 8th day of December, 1947.

Q. In your presence?

A. Yes sir.

Q. In the presence of John Negus?

A. Yes sir.

Q. Did you two sign as witnesses?

A. Yes.

Q. She signed that in each of your presence?

A. Yes.

Q. You signed it at her request?

A. Yes, and in the presence of each other.

Q. Mr. Burns did you know G. R. Negus?

A. Knew him at that time.

Q. Know where he is now?

A. No sir, I do not.

NO CROSS EXAMINATION

Transcribed and filed this 28th day of February, 1950.

Ora A. Nelson Reporter

JACOB H. HARTLEY,)	
)	IN THE CIRCUIT COURT OF
VS.)	BALDWIN COUNTY, ALABAMA.
)	
FRANKLIN D. SADLER,)	AT LAW.
)	
Contestant.)	

JUDGMENT SUSTAINING VALIDITY OF WILL

On the 3rd day of January, 1949 Jacob H. Hartley filed in the Probate Court of Baldwin County, Alabama his petition to probate the Will of Cora H. Sadler, Deceased. By due and proper proceedings had in the said Probate Court, the 3rd day of February, 1949 was set as the day to hear the petition to probate the Will of the said Cora H. Sadler, Deceased, notice of which was given to all necessary and proper parties in the form and manner prescribed by law. Prior to the said hearing, Franklin D. Sadler filed his petition to contest the said Will, as will fully appear from the written contest filed by him in the Probate Court, which prayed that the contest be transferred to the Circuit Court of Baldwin County, Alabama in the manner provided by Title 61, Section 63 of the 1940 Code of Alabama, after which the Probate Court of Baldwin County, Alabama made an order transferring the contest to the Circuit Court of Baldwin County, Alabama, which transfer has been made. After the filing of the said contest in the Circuit Court of Baldwin County, Alabama, the said Proponent, Jacob H. Hartley, demanded a jury trial of the said cause. The said cause was tried before a jury and resulted in a mistrial, after which the demand for a jury trial was withdrawn by the said Proponent, he and Contestant have consented and agreed that the said contest be determined by the Court without a jury and the said Contestant has consented and agreed that the said Will be admitted to probate and record. This said Court has heard the case without a jury and has heard the testimony orally of H. A. Burns, one of the two witnesses to the said Will, and upon consideration of the same the Court is of the opinion that the Will of Cora H. Sadler, Deceased, offered for probate as aforesaid, was

duly and properly executed, whereupon, it is, therefore, Ordered and Adjudged by the Court as follows:

1. It is the judgment of the Court that the instrument of writing dated the 8th day of December, 1948, purporting to be the Last Will and Testament of Cora H. Sadler, Deceased, attested by H. A. Burns and C. R. Negus and offered for probate in the Probate Court of Baldwin County, Alabama by Jacob H. Hartley on the 3rd day of January, 1949, is the legal and valid Last Will and Testament of the said Cora H. Sadler, Deceased.

2. The costs of this proceeding shall be paid from the funds of the Estate of Cora H. Sadler, Deceased, now in the possession and under the control of J. E. Gooden, as special Administrator Ad Colligendum of the Estate of Cora H. Sadler, Deceased, after the said funds are paid over to Jacob H. Hartley, the Executor named in the Last Will and Testament of the said Cora H. Sadler, Deceased.

3. The Clerk of the Circuit Court of Baldwin County, Alabama shall forthwith certify the transcript of this judgment, together with all and singular the papers and documents certified to this Court by the Probate Court, back to the said Probate Court to be there recorded and this matter to there proceed in the manner required by the laws of the State of Alabama.

DONE on this the 28th day of February, 1950.

/s/ TELFAIR J. MASHEURN

Judge.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the 1st day
of March, 19 20

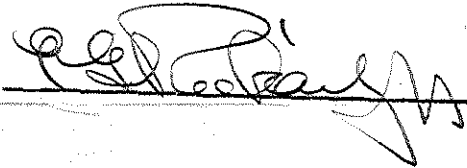
Alice J. Duck
Register of Circuit Court, In Equity.

STATE OF ALABAMA
BALDWIN COUNTY

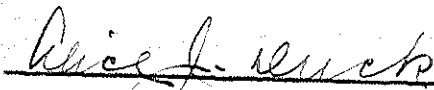
Before me, the undersigned authority, within and for said County in said State, personally appeared E. G. Rickarby, Jr., who is known to me and who, after being by me first duly and legally sworn, deposes and says:

That he is one of the Attorneys for the Contestant in the above styled cause; that the witness, Beulah E. Olson, to whom the above interrogatories are propounded, is a woman who is absent from the State of Alabama, now located in Jacksonville, Florida, which is more than one hundred miles from the place of trial, computed by the route usually traveled, and is a material witness for the Contestant in this suit.

Affiant further deposes and says that if the said interrogatories are well and truly answered, they will be material evidence for the Contestant in this suit.



Sworn to before me on this the
17 day of March, 1949.



Clerk of the Circuit Court.

COMB H. SADLER, DECEASED

ESTATE OF

CORA E. SADLER, DECEASED.

ESTATE OF.

1

1

1

1

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO. 1305

Now comes the Proponent, JACOB HARTLEY, and objects to
interrogatories propounded to BEULAH E. OLSON, witness for the
Contestant, FRANKLIN D. SADLER, 3, 4, 5, 6, 7, 8, 9, 10, 11,
12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27 and
28, separately and severally, and for grounds thereof says:

1.

That said interrogatory calls for illegal evidence.

2.

That said interrogatory calls for incompetent evidence.

3.

That said interrogatory calls for irrelevant evidence.

4.

That no facts are set out upon which the said witness
basis her conclusion.

J. M. Hall
Attorney for the Proponent, Jacob
Hartley

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

August
25
1949

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

Dear Mrs. Duck:

I am enclosing the copy of the Complaint in the case of J. E. Gooden, Administrator, vs. Clayton C. Baldwin, Administrator, et al.

My representation of Mrs. Rena H. Pollard is not such that I can accept service in this case.

I am returning the enclosed copy so that it may be served on Mrs. Pollard.

Very truly yours,


J. B. BLACKBURN.

JBB:MLB
Encl.

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

The Will of Cora H. Sadler, Deceased, which was heretofore filed for probate and record in the Probate Court of Baldwin County, Alabama, and which was contested by Franklin D. Sadler before being admitted to probate and record for contest, was transferred to the Circuit Court of Baldwin County, Alabama, as provided by Title 61, Section 63 of the 1940 Code of Alabama, has been decided by the said Circuit Court and pursuant to the requirements of the said statutes and the purposes stated therein, I hereby certify to you the following:

1. Petition to probate will of Cora H. Sadler, deceased, which was filed in the Probate Court of Baldwin County, Alabama, on January 3, 1949.

A. Contest of Will

2. Order of Probate Court of Baldwin County, Alabama, dated January 3, 1949, setting day for hearing the Petition to probate the said will.

3. Five notices of date set for hearing Petition to probate will.

4. Two Subpoenas to witnesses in connection with probate of will.

5. Last Will and Testament of Cora H. Sadler, Deceased, dated December 8, 1947, and witnessed by G. R. Negus and H. A. Burns.

6. A certified copy of the Judgment of the Circuit Court of Baldwin County, Alabama, dated February 28, 1950, establishing the validity of the above described will.

DATED on this the 1st day of March, 1950.

Alice J. Leach

Clerk of the Circuit Court of Baldwin
County, Alabama.

CORA E. SADLER, DECEASED.

ESTATE OF.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1306

Now comes the Proponent, JACOB HARTLEY and moves the court to strike the affidavit of FRANKLIN D. SADLER for procuring testimony by interrogatories of BEULAH E. OLSON, and for grounds thereof says:

1.

That said affidavit sets out no facts authorizing the taking of said testimony by interrogatories.

2.

That the said affidavit does not comply with the requirements of title 7, Article 6 for ^{taking} ~~proving~~ testimony by deposition.

J. M. Hall
Attorney for Proponent, Jacob
Hartley.

CORA H. SADLER, DECEASED.

ESTATE OF.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO. 1305

Now comes the Proponent, JACOB HARTLEY, and objects to interrogatories propounded to BEULAH E. OLSON, witness for the Contestant, FRANKLIN D. SADLER, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27 and 28, separately and severally, and for grounds thereof says:

1.

That said interrogatory calls for illegal evidence.

2.

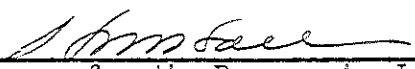
That said interrogatory calls for incompetent evidence.

3.

That said interrogatory calls for irrelevant evidence.

4.

That no facts are set out upon which the said witness bas@s her conclusion.


Attorney for the Proponent, Jacob
Hartley

I, James Dudley Sadler, of the City of Lakewood,
County of Cuyahoga and State of Ohio, being of full age and of
sound and disposing mind and memory, do make, publish and declare
this my last will and testament, hereby revoking and annulling
any will of wills by me made heretofore.

FIRST: My will is that all my just debts and funeral
expenses be paid out of my estate as soon after my decease as shall
be found convenient.

SECOND: Reposing full confidence in my beloved wife
Cora Hartley Sadler, I give, devise and bequeath all my estate,
real, personal and mixed wheresoever situate to my said wife,
Cora Hartley Sadler, and her heirs forever.

THREE: I make, name and appoint my said wife, Cora Hartley
Sadler to be executrix of this, my last will and testament, and
I request that no bond be required of her as such. I further
request that no inventory of my estate be made or taken, in-so-far-as
the same may be lawfully omitted.

IN TESTIMONY WHEREOF. I have set my hand to this my last
will and testament, at Cleveland, Ohio, This Eighth Day of May in
the year of our Lord, One Thousand Nine Hundred and Sixteen.

James Dudley Sadler

The foregoing instrument was signed by the said James
Dudley Sadler in our presence, and by him published and declared as
and for his last will and testament, and at his request and in his
presence, and in the presence of each other, we hereunto subscribe
our names as attesting witnesses, at Cleveland, Ohio, this Eighth
Day of May A.D. 1916.

A. H. Beck

Resides at

1617 E 21
Cleveland, Ohio

A. F. Heil

Resides at

3766 Denison Ave
Cleveland, Ohio

ESTATE OF
CORA H. SADLER,
DECEASED

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

DECREE REMOVING ADMINISTRATION TO EQUITY COURT

This cause coming on to be heard on this date is submitted on the Petition of Jacob Hartley to remove the administration of this said estate from the Probate Court of Baldwin County, Alabama to the Circuit Court of Baldwin County, Alabama Sitting in Equity, upon consideration of which it is Therefore

ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That 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 Register of this Court shall forthwith deliver a copy of this Decree to the Probate Court of Baldwin County, Alabama.

ORDERED, ADJUDGED AND DECREED on this the _____ day of March, 1950.

Judge

ESTATE OF

CORA H. SADLER,
DECEASED

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

DECREE REMOVING ADMINISTRATION TO EQUITY COURT

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2. The Register of this Court shall forthwith deliver a copy of this Decree to the Probate Court of Baldwin County, Alabama.

ORDERED, ADJUDGED AND DECREED on this the _____ day of March, 1950.

Judge

ESTATE OF
CORA H. SADLER,
DECEASED

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

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ORDERED, ADJUDGED AND DECREED on this the _____ day of March, 1950.

Judge

ESTATE OF

CORA H. SADLER,
DECEASED

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

DECREE REMOVING ADMINISTRATION TO EQUITY COURT

This cause coming on to be heard on this date is submitted on the Petition of Jacob Hartley to remove the administration of this said estate from the Probate Court of Baldwin County, Alabama to the Circuit Court of Baldwin County, Alabama Sitting in Equity, upon consideration of which it is
Therefore

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2. The Register of this Court shall forthwith deliver a copy of this Decree to the Probate Court of Baldwin County, Alabama.

ORDERED, ADJUDGED AND DECREED on this the _____
day of March, 1950.

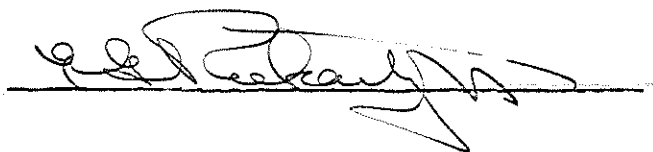
Judge

STATE OF ALABAMA }
BALDWIN COUNTY }

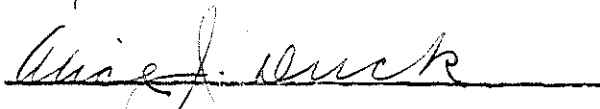
Before me, the undersigned authority, within and for said County in said State, personally appeared E. G. Rickarby, Jr., who is known to me and who, after being by me first duly and legally sworn, deposes and says:

That he is one of the Attorneys for the Contestant in the above styled cause; that the witness, Beulah E. Olson, to whom the above interrogatories are propounded, is a woman who is absent from the State of Alabama, now located in Jacksonville, Florida, which is more than one hundred miles from the place of trial, computed by the route usually traveled, and is a material witness for the Contestant in this suit.

Affiant further deposes and says that if the said interrogatories are well and truly answered, they will be material evidence for the Contestant in this suit.



Sworn to before me on this the
17 day of March, 1949.


Clerk of the Circuit Court.

LAW OFFICES

ELLIOTT G. RICKARBY

RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

March 31, 1950

Mrs. Alice J. Duck,
Bay Minette, Alabama

Dear Mrs. Duck:

SADLER ESTATE: With this find the receipt for the ten dollars paid the commissioners taking Mrs. Olson's testimony and which I, personally put up. Will note the addition of this to the memo of of costs that you gave me.

Thanks for your assistance.

Sincerely,

Elliott G. Rickarby
For:
RICKARBY & RICKARBY

EGR:rd
2910
Enc.

THE FAIRHOPE COURIER

E. B. GASTON ESTATE, PUBLISHER

A PROGRESSIVE PAPER FOR PROGRESSIVE PEOPLE

ESTABLISHED 1894

FAIRHOPE, ALABAMA

This is to certify that the attached
legal notice appeared in the Fairhope
Courier, a newspaper published in
Fairhope, Baldwin County on the dates
of January 13, 21, 28, 1949

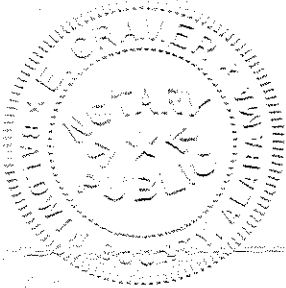
Frances H. Crawford

State of Alabama
Baldwin County

Subscribed and sworn to this 21st day of
March, A. D. 1949, before me.

E. Cramer

Notary Public, Baldwin County, Alabama.



THE FAIRHOPE COURIER

E. B. GASTON ESTATE, PUBLISHER

A PROGRESSIVE PAPER FOR PROGRESSIVE PEOPLE

ESTABLISHED 1894

FAIRHOPE, ALABAMA

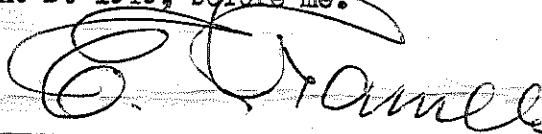
This is to certify that the attached
legal notice appeared in the Fairhope
Courier on the dates of January 13,
21 and 28, 1949.



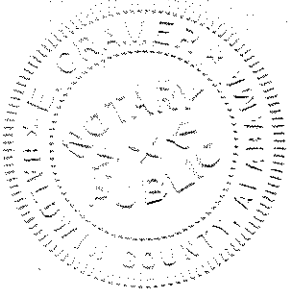
Frances G. Crawford

State of Alabama
Baldwin County

Subscribed and sworn to this 4th day of March,
A. D. 1949, before me.



Notary Public, Baldwin County, Alabama.



The State of Alabama)
Baldwin County) In the Probate Court of said County

In the matter of the estate of)
Cora H. Sadler, Deceased)

To the Honorable W. R. Stuart, Judge of said Court:

Comes now your petitioner, J. E. Gooden, as Administrator
Ad Colligendum of said estate and shown unto your Honor the
facts following:

1st. That since assuming his duties as such administrator
he has been presented with certain bills owing by said estate
as follows:

Fairhope Single Tax Corporation (Rent)	\$88.68
Baldwin County Taxes (1948)	3.55
Town of Fairhope (Town Tax 1948)	10.50
Town of Fairhope " " 1948	2.25
Town of Fairhope " " "	1.65
Town of Fairhope " " 1947	1.65

That said sums are justly owing in the opinion of
petitioner and should be paid in order to preserve the estate.

That during the course of said administration, your
petitioner has incurred the following expense:

Carl Bloxham (premium on bond)	\$85.00
J. E. Gooden (Insurance on property of said estate)	78.25

Petitioner respectfully prays that this court enter
an order approving the payment of the above listed indebtedness,
and that he be directed to pay and discharge the same from the
funds of said estate now in his hands as such administrator.

Sworn and subscribed before me on this the 29 day of March, 1949.

Notary Public
Notary Pub lic.

State of Alabama)
Baldwin County) In the Probate Court of said County.

This matter coming on to be heard upon the foregoing
petition, and the court being of the opinion that the prayer
thereof should be granted, and that the estate will be benefited
by the payment of said debts; It is therefore ordered that the
Administrator Ad Colligendum be and he is hereby directed to
pay each of said claims set out in said petition, such payment
to be made from the funds of the estate now on hand.

Dated this the 29 day of March, 1949.

W. R. Stuart
Probate Judge.

We hereby consent that the above order be entered this the 29
day of March, 1949.

Attorney for Proponent
Attorney for Proponent of the will of
Cora H. Sadler.

Attorney for Contestant
Attorney for Contestant of the will of
Cora H. Sadler.

ESTATE OF
CORA H. SADLER,
DECEASED.

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

DECREE.

This cause coming on to be heard on this day is submitted on Petition of Jacob H. Hartley, Franklin D. Sadler, and Rena H. Pollard, praying that the Court will authorize J. E. Gooden, Administrator Ad Colligendum of the estate of Cora H. Sadler, to pay to Kirby Wharton, as President of the Bank of Fairhope, as Trustee, the sum of Seven Hundred Fifty (\$750.00) Dollars out of the corpus of the estate of Cora H. Sadler, thereby to be applied by him at his discretion in the payment of Mrs. Rena H. Pollard's medical and surgical expenses, and the same being considered and understood by the court; the court is of the opinion that the relief prayed for should be granted.

Thereupon it is therefore ordered, adjudged and decreed by the Court that J. E. Gooden, Administrator Ad Colligendum of the estate of Cora H. Sadler, be and he is hereby authorized and directed to pay to Kirby Wharton, as President of the Bank of Fairhope, as Trustee, the sum of Seven Hundred Fifty (\$750.00) Dollars out of the corpus of the estate of Cora H. Sadler, thereby to be applied by him at his discretion in the payment of Mrs. Rena H. Pollard's medical and surgical expenses.

Ordered, adjudged and decreed this 17th day of
November, 1949.

Jeffrey A. Marshall, Jr.
Judge.

ESTATE OF

CORA H. SADLER,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2336.

TESTIMONY TAKEN IN OPEN COURT ON FINAL
REPORT OF ADMINISTRATOR AD COLLIGENDUM
MARCH 7, 1950

APPEARED: For Administrator Ad Colligendum

Hon. H. A. Burns

For Administrator:

Hon. H. M. Hall

For Frank Sadler

Hon. E. G. Rickarby

For Rena Pollard

Hon. J. B. Blackburn

MR. BURNS: First, I would like to introduce the Probate File of Cora H. Sadler's Estate so as to get before the Court the inventory, the several petitions and orders of Petitioner, particularly the petition to show these small items and the orders on those petitions. File admitted (by reference only).

MR. J. E. GOODEN, having been first duly and legally sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. Burns

Q. Mr. Gooden, is your name J. E. Gooden?

A. Yes.

Q. Do you live in Fairhope, Alabama?

A. Correct.

Q. Were you appointed administrator ad colligendum of the estate of Cora H. Sadler?

A. Yes.

Q. About what date were you so appointed?

A. I will have to look. A little over a year ago.

Q. You file a - does the file show it?

A. Yes, the file shows it.

Q. Did you qualify by posting bond?

A. Yes.

Q. Were Letters of Administration issued to you as administrator ad colligendum?

A. Yes.

Q. After the issuance of the letters what was the first thing you did?

A. Went to the bank, had you, asked your advice, asked another member of the bar if I had the right to employ counsel and I went to get you and went around to the banks.

Q. The letters show that the appointment was made by Judge Ramsey Stuart?

A. Yes.

Q. He knew of my employment?

A. Yes.

Q. After that appointment did I advise you?

A. Yes.

Q. What was the first thing you did, make a trip to Mobile?

A. Yes, made a trip to Mobile.

Q. Who did we see in Mobile?

A. Saw Mrs. Hartley and saw some of the officers of the three banks.

Q. Was demand made on Mrs. Hartley for the property belonging to the estate?

A. Yes.

Q. Was it delivered?

A. Not at that time.

Q. Did you get to see Mr. Hartley?

A. No.

Q. Did you make an effort to see him?

A. Yes.

Q. What banks did you visit?

A. First National Bank, Merchants National and the American National.

Q. Was any information given you by anyone about the assets of this estate, the possibility of any being over there?

A. Just what the bankers told us.

- Q. You went to all the banks to see what might be -
- A. Thought there might be some there, didn't know.
- Q. You found money in the three banks?
- A. No, not in three banks, two in Mobile and one in Fairhope.
- Q. There was no money on deposit in the American National Bank?
- A. No.
- Q. Did you have the records run for safety deposit boxes?
- A. Yes, at all three banks.
- Q. Savings accounts checked?
- A. Yes.
- Q. You took charge of that money you found on deposit?
- A. Yes.
- Q. Did the banks recognize your letters as administrator ad colligendum?
- A. Yes.
- Q. You still have it?
- A. Yes.
- Q. Did you find any money on deposit in the Fairhope bank?
- A. Yes.
- Q. Did you take charge of that money?
- A. Yes.
- Q. You found both a savings account and a checking account?
- A. Correct.
- Q. Did you go to call on the Bank of Foley?
- A. Bank of Foley? I don't think I went to the Bank of Foley.
- Q. Any other bank?
- A. No.
- Q. Later was certain bank books turned over to you by Mrs. Theresa Hartley?
- A. Yes. She brought them over. I was out but she left them at the house. A week or so later, after the property was taken charge of.
- Q. Did those books verify the facts that you had found on your own investigation?

- A. Yes. The books were a little under what the banks had given us because of the interest which had accumulated and wasn't shown on the books.
- Q. Did you assume charge of the residence of the late Mrs. Sadler?
- A. Yes.
- Q. And its contents?
- A. Yes.
- Q. Were the keys of that residence turned over to you?
- A. Yes.
- Q. You went down and took charge of the property?
- A. Yes.
- Q. What did you do with reference to making an inventory?
- A. Well, we made a complete inventory.
- Q. Is this the inventory made at that time (showing witness paper)?
- A. Yes.
- Q. That inventory filed in the Probate Court?
- A. Yes.
- Q. Certain obligations brought to your attention about that time?
- A. Yes.
- Q. Was the rent due on the premises down there to the Fairhope Single Tax Corporation?
- A. Yes.
- Q. County taxes due?
- A. Yes.
- Q. Town of Fairhope taxes due?
- A. Yes.
- Q. Did you take out a bond as administrator ad colligendum?
- A. Yes.
- Q. Who was the agent?
- A. Bloxham Agency.
- Q. Insure the property you found?
- A. Yes.
- Q. Now, did you file a petition in the Probate Court setting up these obligations as obligations of the estate and ask authority to pay them?
- A. Yes.

Q. That includes the Fairhope Single Tax, the four items of taxes, premium on your bond as administrator ad colligendum and insurance on the property you took into your charge?

A. Yes.

Q. Did Judge Stuart give you order to pay that?

A. Yes.

Q. The silver and several other articles of personal property that you found in the house you took away from the house?

A. Took away from the house and rented a lock box in the bank.

Q. Was that necessary to protect those articles?

A. That's right, yes.

Q. On or about the 8th day of August, 1949 did you file a petition as administrator ad colligendum asking the Probate Court to fix your fee?

A. Fee for partial compensation.

Q. For your services as administrator ad colligendum?

A. Yes.

Q. Was that petition heard in the Probate Court?

A. Yes.

Q. Did the Probate Court have jurisdiction of this estate at that time or had it been removed to the Circuit Court?

A. Hadn't been removed at that time.

Q. Was testimony introduced there in support of that petition?

A. Yes.

Q. Do you remember who testified?

A. Mr. Beebe.

Q. Judge Stuart heard the matter?

A. Yes.

Q. Did he make any order on your petition?

A. Yes.

Q. What was his order?

A. He ordered it paid.

Q. How much?

A. Seven hundred and fifty dollars to me.

- Q. At the same time a petition was filed with Judge Stuart in which compensation was asked for your counsel?
- A. Yes.
- Q. Was testimony introduced in support of that petition?
- A. Yes.
- Q. Do you happen to remember what the testimony was?
- A. Yes.
- Q. Did the Judge hear that testimony?
- A. Yes.
- Q. Was Mr. Beebe sworn?
- A. Yes.
- Q. And what disposition did he make of that petition?
- A. He ordered it paid.
- Q. What amount?
- A. One thousand dollars.
- Q. Were those two amounts paid under Court order?
- A. Yes.
- Q. Was there a petition filed to your knowledge in behalf of Mrs. Pollard to be allowed seven hundred fifty dollars?
- A. Yes.
- Q. Was there an order made on that petition?
- A. Yes, in the Circuit Court.
- Q. Had the estate of Cora H. Sadler been removed to the Circuit Court in the meantime?
- A. Yes.
- Q. The Fairhope Single Tax Corporation on 12-8-49, the item of ninety dollars paid under order of the Circuit Court, \$90.03?
- A. No, it wasn't paid under order of Court. I paid anything I had to to protect the property.
- Q. County taxes the same way?
- A. Yes.
- Q. The Town of Fairhope \$4.05 the same way?
- A. Yes, those three items.
- Q. Any other moneys been paid out that you know of?
- A. No sir.

- Q. Is your statement of your account here in which you charge yourself \$12,146.70 in cash, is that the total amount of money you received?
- A. Yes.
- Q. That money was deposited in one of the three banks you have mentioned and is still there except that which has been paid by check is that correct?
- A. Correct. Wasn't any more deposited in the Bank of Fairhope except what was already there. The other money in the other banks is still just like it was.
- Q. This \$131.95 was that received by you?
- A. As return premium on insurance policies.
- Q. That money was deposited in the Bank of Fairhope?
- A. That's right.
- Q. To your credit as administrator ad colligendum?
- A. Of the estate, yes.
- Q. This item here (indicating)?
- A. Interest on savings account.
- Q. That is all the money in cash that came into your hands was it not?
- A. Yes.
- Q. Mention was made of three U. S. Treasury Bonds Number A 25961, B 25962 and C 25963, do you have those bonds in your possession?
- A. Yes.
- Q. You found those among the effects of Mrs. Cora H. Sadler, deceased?
- A. Yes.
- Q. Each of those bonds in the sum of \$500.00 each, the aggregate being \$1500.00?
- A. Yes.
- Q. This property, I will ask you to look at the inventory (showing witness paper), filed in the Probate Court on March 4, 1949, the items you have listed there are in your possession are they not?
- A. Yes.
- Q. The value placed on those articles the reasonable market value?
- A. So far as I can tell it's about right.
- Q. You examined them?
- A. Yes.

Q. You placed the value on them?

A. Yes.

Q. That's a conservative valuation of those articles?

A. I feel like it's very conservative.

Q. Mr. Gooden, have you been in the real estate business for quite some years?

A. Yes.

Q. You are familiar with property values in Fairhope?

A. Pretty well.

Q. What is the home of the late Mrs. Sadler worth?

A. I think it's worth, or ought to be down here, \$15,000.00.

Q. It's been in your custody, control and management since you were appointed administrator ad colligendum of this estate?

A. Yes.

Q. Still is?

A. Yes.

Q. Mr. Gooden, sometime during the past summer on or about the 20th day of August, 1949, were you served with an order of the Chancery Court?

A. Yes.

Q. Served also with a petition which was filed by Mr. Frank Sadler and by Mr. Clayton Baldwin as administrator de bonis non as administrator of the James D. Sadler, deceased, estate?

A. Yes.

Q. Did that order of the Circuit Court in Equity direct you to file an inventory of the assets of the estate of Cora H. Sadler, deceased, which you had in your hands?

A. Yes.

Q. Did you make up another inventory at that time and file it?

A. Best I remember we did, might have been the same one.

Q. It was brought down to date?

A. As of that date.

Q. This petition that was filed at that time, did you have a conversation with the attorney filing the petition?

A. Yes.

Q. What did he tell you was the purpose of that petition?

A. Said it was to change the whole thing, put it in the J. H. Sadler estate, or whatever the name was.

Q. Advised you that it's intent was to divest you as administrator ad colligendum from any of the assets of the Cora H. Sadler estate and that you would be directed to pay into the hands of Mr. Baldwin as administrator of the Sadler estate any moneys that you had. Were you relieved of further duties?

A. I would have been if that had happened.

Q. Did you consult me with reference to that?

A. Yes.

Q. I advise you with reference to that?

A. Yes.

Q. Do you know what disposition was made of that matter?

A. You come with me and we brought some papers -

Q. Was an interpleader filed in that matter?

A. Yes.

Q. So far as you know, you don't know what was the outcome?

A. No. I've never been relieved of my responsibility.

Q. You were not directed by Judge Mashburn to pay this money over?

A. No.

Q. You still hold it and are ready to deliver the property to the executor of the estate of Cora H. Sadler, deceased?

A. That's right.

Q. What moneys have been paid out as administrator ad colligendum, was paid out under order of Court or for the protection of the estate?

A. Yes.

Q. Except the \$750.00 paid to Mr. Kirby Wharton?

A. That was paid under order of Court too.

Q. The \$1,000.00 paid me was under order of the Probate Court and the \$750.00 paid you was under order of the Probate Court?

A. Yes.

Q. Have you diligently applied yourself to the protection of these assets?

A. Yes.

Q. At all times and have done everything you were called upon to do as administrator or trustee of the assets?

A. Yes.

ON CROSS EXAMINATION

By Mr. Hall

Q. Mr. Gooden, the total receipts received by you as shown by the inventory total \$12,146.70?

A. Yes.

Q. Out of that amount you have expended \$2,875.97, is that right?

A. I think that is correct.

Q. That included the \$1,000.00 paid to Mr. Burns and \$750.00 to you?

A. Yes.

Q. And also the \$750.00 to Mrs. Pollard, who is one of the distributees of the estate?

A. Correct.

Q. For the benefit of the record would you give us in narrative form in order the services performed by Mr. Burns as attorney for you from the beginning to the end of the administration?

MR. BURNS: We object to that. There is no petition in the file.

MR. HALL: The Court will have to be satisfied.

Q. Will you give in narrative form all of the duties Mr. Burns performed?

A. I went and employed Judge Burns thinking, I didn't know just how to act as administrator ad colligendum and I told him I would have to have legal advice and I called on him frequently on anything that come up for advice and I followed his advice all the way through. He went with me to the banks and tended to all that, anything else with legal aspects had to tend to that. I also had him help me make that inventory. One thing, if you don't mind bringing in the real property, what we call real estate, lands haven't done a thing about that except paid the taxes, haven't reached or put a market value on it in the inventory and on the advice of counsel left it off. I went and looked at it and he said there was no use to put it in the inventory it would be here when we come back so keep the taxes paid on it -

Q. The home place on rented land?

A. Yes.

Q. Roughly speaking, Mr. Gooden, how many times were you consulting with Mr. Burns?

A. I have no idea, many times.

Q. Would you say fifty times?

A. I imagine so.

Q. Mr. Burns go to Mobile with you?

A. Yes.

Q. How many days? Went to Mr. Hartley's house twice and all the banks, was that the same day you went to Mr. Hartley's house twice?

A. I don't think he made but one trip.

Q. All the papers Mr. Burns drafter for you are in the file?

A. Yes.

Q. The petition, and advice along that?

A. Yes.

Q. The securing of a bond and filing inventory?

A. Letters written to people.

Q. He prepared the inventory for you?

A. Yes.

Q. Prepared the interpleader which is in the file?

A. Yes.

Q. And these statements here (indicating)?

A. Yes.

Q. In addition to that did you consult with Mr. Burns in regard to stocks and bonds, matters belong to the estate?

A. Yes. We went took those things over. Don't the letters at that time, - Got several letters in the file wrote to different parties to find out whose they were.

Q. Mr. Burns assist you in that?

A. Yes.

Q. How many letters were written?

A. I think there was three.

ON CROSS EXAMINATION

By Mr. Rickarby

Q. Mr. Gooden, wasn't this information you got about the banks, wasn't that given to you by Mr. Frank Sadler or by me?

- A. I don't remember, Mr. Rickarby, but we must have expected some over there or we wouldn't have went. We did expect some at the American National Bank but they didn't have it.
- Q. Do you and Judge Burns - when you went to Mobile you went first to the Hartley house?
- A. Yes.
- Q. You got from them the pass books?
- A. No. She wouldn't turn them over to us. Never got the pass books until they brought the keys, left the pass books and the keys.
- Q. At the time you went to the Hartleys they said they had heard from Mr. Hall and that was instructions?
- A. I don't know what they heard. They didn't turn over anything to us at that time. Said she just didn't want to do anything about it until her husband came back. He was to be back sometime at a certain time and we went back and she said she wanted to call Mr. Hall. I think she called while we were in there, I don't know where she got him or not, I don't much think she did and we left with the understanding that they would get in touch with Mr. Hall or bring some papers.
- Q. Subsequent to that they brought some papers to you?
- A. Yes.
- Q. After leaving the Hartleys you and Judge Burns went to all three of the banks and made inquiry?
- A. Yes.
- Q. That on the proper showing from you, orders and authority, they gave you information?
- A. That's right.
- Q. That didn't take very long?
- A. Not so long. We were pretty busy but we finally got through.

ON CROSS EXAMINATION

By Mr. Blackburn

- Q. In this trip to Mobile, that consumed about a day?
- A. Yes.
- Q. Now, how long did it take to make this inventory?

A. The best I remember I was down there two days. Judge Burns, correct me if I am wrong.

MR. BURNS: You're testifying.

A. My memory is not very good.

Q. Did you make a second trip?

A. One day there and trip to Mobile.

Q. One day there and trip to Mobile, two days, inventory three days. In addition to that how much other time have you devoted to this thing?

A. I go down and look around the place very often.

Q. Anything else except that?

A. Well, a letter from counsel, letter saying Mrs. Pollard have a share and we delivered that.

Q. You paid these bills shown by your report?

A. Yes.

Q. With reference to your hearing on this petition for your compensation in the Probate Court and the compensation allowed your attorney, ^{who} ~~whu~~ all/^{was}present when that was done, Mr. Gooden.

A. Judge Burns, Myself, Mr. Beene and Judge Stuart

Q. None of the attorneys for any of the parties to this proceeding were present?

A. No.

Q. Do you know whether they were notified or not?

A. I do not.

Q. Isn't it true that you came up here, prepared the petition on the day the petition was granted, the same day?

A. Yes.

That's all.

THE COURT: Asked for a decree discharging petitioner and the trustee on his bond and ordering him to pay the money over to the executor of the estate of Cora H. Sadler.

Mr. W. C. Beebe, having been first duly and legally sworn testified as follows:

ON DIRECT EXAMINATION

By Mr. Rickarby

Q. Mr. Beebe, in the estate of James D. Sadler involving a fraction

over thirty thousand dollars in assets, his widow who took under her husband's will, probating the will, advising the lady about the details of it, securing, and going to a great deal of trouble in securing payment of a division the estate surrounding the widow concerning her lost certificate, getting an additional certificate, advising with the lady a large part of the time who was an invalid, what in your opinion would be fair and reasonable compensation for her counsel?

- A. To probate a will involving approximately thirty thousand dollars I think two hundred and fifty dollars would be a reasonable fee for probating the will; advising the executrix over a period of years in large matters and small and in securing or establishing title to lost stock certificates, proving ownership, getting check cashed, involving the settling of the estate, tending the administration over a period of years from '44 to date I should think three hundred dollars; winding up the estate, filing petition for final settlement, how much will be distributed?

Counsel: There will be about six thousand dollars, between four and six thousand dollars. A large part of it has been spent.

- A. I think two hundred and fifty dollars would be a minimum fee.

Q. You think seven hundred fifty dollars would be a reasonable fee?

A. Very reasonable.

Mr. Blackburn: No question.

Transcribed and filed this 7th day of March, 1950.

Ora S. Nelson
Reporter

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Estate of

CORA H. SADLER,
Deceased

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

RECEIVED of J. E. GOODEN, as Administrator ad collingendum of the estate of Cora H. Sadler, deceased, the following checks:

Check No. 18, drawn on the Bank of Fairhope, Fairhope, Alabama, payable to the Clerk of the Circuit Court of Baldwin County, Alabama, in Equity, in the sum of \$37.35.

Check No. 19, being a check drawn on the Bank of Fairhope, Fairhope, Alabama, payable to Jacob H. Hartley as Executor of the estate of Cora H. Sadler, deceased, in the sum of \$3097.79.

Check No. 20, drawn on the Bank of Fairhope, Fairhope, Alabama, payable to Jacob H. Hartley as Executor of the estate of Cora H. Sadler, deceased, \$3097.79.

Check No. 21, drawn on the Bank of Fairhope, Fairhope, Alabama, payable to Jacob H. Hartley as Executor of the estate of Cora H. Sadler, deceased, in the sum of \$3097.80.

Each of said checks being paid under that certain decree of the above named Court, signed by Telfair J. Mashburn, Jr., Judge of said Court, dated March 7, 1950.

filed Also all personal property itemized and set forth in the inventory by said Administrator ad collingendum in the Probate Court of Baldwin County, Alabama, and also as shown by the supplemental inventory filed in the estate of Cora H. Sadler, deceased.

The foregoing property constitutes all of the personal property of the estate of Cora H. Sadler and is paid to the undersigned by J. E. Gooden as Administrator ad collingendum of said estate under the terms of and in full discharge of his duties under the decree of this Court dated March 7, 1950 and said property is received by the undersigned as a full compliance on the part of the Administrator ad collingendum with the terms of the said decree.

Dated this the 14 day of March, Nineteen Hundred Fifty.

Jacob H. Hartley
As Executor of the estate
of Cora H. Sadler, Deceased.

Witnesses:

Mrs. J. E. Hartley
H. A. Bunn

No. _____ In the matter of James H. Ladd
Attorney Administrator, Executor, or Guardian. Residence _____
Attorneys _____ Docket _____ Page _____ Fee Book _____ Page _____

DATE	FEES	AMOUNT	DATE	FEES	AMOUNT
	WILL—Orders on Presentation, \$1.00 Affidavit in Petition for Probate, 25c Recording Petition, per 100 words, 15c Issuing Citation, entering Sheriff's Returns, 50c Appointing, Notifying Guardian ad Litem, 50c Issuing Subpoena for Witnesses, 50c Affidavit of Witnesses, 25c Examining Witnesses and Order Probating, \$2.00 Issuing Commission to take Deposition, 50c Filing Interrogatories, 10c Copy of same, per hundred words, 15c Recording Will, per hundred words, 15c Recording Testimony, per hundred words, 15c Certificate, without Seal, 25c Certificate, with Seal, 50c Presiding at Trial of Contested Will, per day, \$2.50			BROUGHT FORWARD, SALE OF PERSONAL PROP.—Petition, 25c Recording same, per 100 words, 15c Granting Order of Sale, 50c Issuing Order of Sale, 25c Order to Publish Notice of Sale, 50c Affidavit to Report, 25c Recording, per 100 words, 15c Appointing Com'r to Divide, and Writ, \$2.00 Appointing and Notifying Guardian ad Litem, 50c	
	Rec. Petition for App. <u>75</u> Alleging Fraud and More <u>65</u> Petition for Compromise <u>50</u> Order of Court allowing }			PARTIAL SETTLEMENT—Affi. in Account, 25c Examining, Stating Acc't, and App. Hearing, \$1.00 Order to Publish Notice of Sale, 50c Appointing and Notifying Guardian ad Litem, 50c Examining Vouchers, 10c Administering Affidavits, 25c Making Decree and Order to Record, \$1.50 Recording same, per 100 words, 15c Filing Claims and Giving Receipt, 15c INSOLVENCY—Affidavit in Report, 25c Recording Report and State., per 100 words, 15c Order Appointing Day for Hearing, 25c Order to Publish Notice of same, 25c Order for Citations, 25c Issuing Notice to Creditors, Day of Hearing, 50c Order Sustaining Report, 25c Order for Settlement, 25c Order to Publish Day of Settlement, 25c Issuing Notice of Day of Settlement, 25c Affidavit to Amount of Claims, 25c Appointing, Notifying Guardian ad Litem, 25c	
	LETTERS—Affidavit in Petition, 25c Recording Petition, per hundred words, 15c Granting Letters of Administration, 50c Issuing and Recording same, 50c Granting Letters of Guardianship, 75c Issuing, Filing, and Recording same, 50c Taking App., Filing, Rec. Adm. Bond, \$1.50 Taking App., Filing, Rec. Guard. Bond, \$1.00 Affidavit of Justification, 50c Granting Order of Appraisalment, 50c Issuing Order of Appraisalment, 25c Recording same, per hundred words, 15c Certified Copy Letters, 50c			SALE OF REAL ESTATE—Affi. in Petition, 25c Recording Petition, per 100 words, 15c Order App. Day of Hearing and Notice, \$1.00 Order to Publish Notice of same, 50c Issuing Citation, entering Sheriff's Return, 50c Appointing and Notifying Guardian ad Litem, 50c Issuing Commission to take Deposition, 50c Filing Interrogatories, per 100 words, 15c Copy of Interrogatories, per 100 words, 15c Appointing Com'r to Divide and Issue Writ, \$2.00 Affidavit in Report of same, 25c Order Approving Division and Report, \$1.00 Recording same, per 100 words, 15c Hearing Application for Dower, Issuing Writ, \$4.00 Exam. Testimony and Granting Order to Sell, \$2.00 Recording Depositions, per 100 words, 15c Recording Relinquishment of Dower, 100 wds., 15c Recording Report, per 100 words, 15c Rec. Payment Purchase Money, per 100 words, 15c Making Order on Report Sale of Land, 75c	
	HOMESTEAD—Rec. Petition for Com. 100 words, 15c Rec. Order for Applicant, per 100 words, 15c Recording Order for Com., per 100 words, 15c Notice to Commissioners, 50c Recording Report of Com., per 100 words, 15c Rec. Order Setting Apart, per 100 words, 15c INVENTORY—Order to App. and Rec., 50c Affidavit to same, 25c Recording same, per 100 words, 15c Recording Decree, per 100 words, 15c	<u>315</u> <u>505</u>		FINAL SETTLEMENT—Affidavit in Acc't, 25c Examining, Stating, and Reporting Account, \$1.00 Order to Publish Notice of same, 50c Appointing and Notifying Guardian ad Litem, 50c Examining Vouchers, 10c Administering Affidavits, 25c Recording same, per 100 words, 15c Decrees in Final Settlement, 50c	
	APPRAISEMENT—Order Approving Rec., 50c Affidavit to same, 25c Recording same, per 100 words, 15c Issuing Order of Appraisalment, 25c Recording Warrant, per 100 words, 15c Order to Approve Appraisalment, 50c Affidavit to Appraisalment, 25c Recording same, per 100 words, 15c Recording Decree, per 100 words, 15c				
	SALE OF PERISHABLE PROPERTY— Petition, 25c Recording same, per 100 words, 15c Granting Order of Sale, 50c Issuing Order of Sale, 25c Appointing, Notifying Guardian ad Litem, 50c Affidavit to Report, 25c Recording, per 100 words, 15c				

CARRIED FORWARD:

No. 2227

The State of Alabama

Guth

PROBATE COURT

In the Matter of

PROBATE FEE BILL

Received of

in payment of the above.

Dollars

This . . . , 19

Judge of Probate.

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Attorneys.

Form 1575—ROBERTS & SON, BIRMINGHAM

[illegible]

STATE OF ALABAMA:

COUNTY OF BALDWIN:

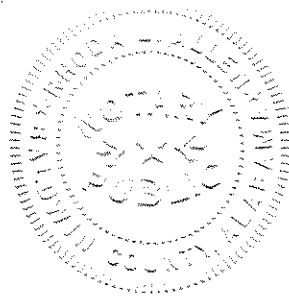
Before me, the undersigned Notary Public,
personally appeared Dr. L. P. Dahlgren, who, being first
duly sworn deposes and says that she is a physician who
attended Cora H. Sadler and as such has knowledge of the
correctness of the account between herself and the Estate
of CORA H. SADLER, Deceased, and that the attached itemized
statement correctly shows such account and that the balance
of FIFTEEN DOLLARS shown thereon is still due after allowance
of all proper credits and is unpaid.

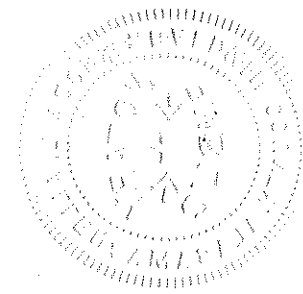
L. P. Dahlgren

Subscribed and sworn to before me on this the
Second day of May, 1949.

Rhoda L. Allen

Notary Public, Baldwin County, Alabama.





Estate of
CORA H. SADLER,
Deceased

CLAIM OF DR. L. P. DAHLGREN

1000
Per
Filed in Office of
Judge of Probate
Calif. May 11, 1949
W. R. Stewart
Lawyer

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1949

M. M. Corn Saller

To L. P. Dahlgrun

Dr.

Terms

Faulkner, Ala.

12/20/48

Home Call

\$ 5 00

12/20/48

Night Call

\$ 10 00

Total \$15 00

ESTATE OF) IN THE CIRCUIT COURT OF
CORA H. SADLER,) BALDWIN COUNTY, ALABAMA.
DECEASED.) IN EQUITY.

WRIT OF INJUNCTION

STATE OF ALABAMA }
BALDWIN COUNTY }

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

We command you that without delay you execute this Writ and make due return how you have executed the same according to law.

Dated on this the 22nd day of March, 1950.

August Leach
Register.

* * * * *

TO JACOB HARTLEY, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF CORA H. SADLER, DECEASED:

THAT, WHEREAS, Franklin D. Sadler did, on the 21st day of March, 1950, file his petition in this Court in this cause, praying, among other things, that an injunction or restraining order be issued, commanding, restraining and enjoining you as follows:

A. To report under oath on the date that this cause is set for hearing the amount of money or other property which has come into your hands, as Executor of the Estate of Cora H. Sadler, Deceased.

B. From using, transferring or disposing of the said moneys, funds or other property, or any part thereof, in any way or manner, except on order of this Court by a proper decree rendered in this cause.

WHEREAS, the said petition being exhibited to the Honorable Telfair J. Mashburn, Jr., Judge of the Circuit Court of Baldwin County, Alabama, on the 21st day of March, 1950, he did order that upon Petitioner's entering into bond with sureties in

the sum of Three Hundred Dollars (\$300.00) to be approved by the Register of this Court, payable and conditioned according to law, that a Writ of Injunction issue out of this Court according to the prayer of the said petition; and,

WHEREAS, bond has been given as required by the said order:

NOW, THEREFORE, YOU ARE COMMANDED AND STRICTLY ENJOINED AS FOLLOWS:

1. You shall report under oath on the date that this cause is set for hearing the amount of money and other property which has come into your hands, as Executor of the Estate of Cora H. Sadler, Deceased.

2. From using, transferring or disposing of the said moneys, funds or other property, or any part thereof, in any way or manner, except on order of this Court by a proper decree rendered in this cause,
until further orders of this Court.

IN WITNESS WHEREOF, I have hereunto set my hand, as Register of the Circuit Court of Baldwin County, Alabama, in Equity, on this the 22nd day of March, 1950.

Alfred. Luck
Register.

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

STATE OF ALABAMA
BALDWIN COUNTY

Sealed with our seals and dated on this the 21st day of
March, 1950.

NOW, THEREFORE, if the said Franklin D. Sadler shall pay or cause to pay all such damages and costs as any person may sustain by the issuing out of the said injunction, if the same is dissolved by the said Court, then this obligation shall be void, otherwise it shall remain in full force and effect.

Franklin D Sealer (SEAL)
Ward B Martin (SEAL)
C C Baldwin (SEAL)

Taken and approved on this the
21st day of March, 1950.

Alvin J. [Signature]

Register.

No. 2624In the matter of Estate of Cora H. Sadler, Dead

Administrator, Executor, or Guardian. Residence.....

Attorneys H. M. Hall

Docket.....

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Fee Book.....

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DATE	FEES	AMOUNT	DATE	FEES	AMOUNT
	WILL—Orders on Presentation, \$1.00	1.00		BROUGHT FORWARD,	
	Affidavit in Petition for Probate, 25c			SALE OF PERSONAL PROP.—Petition, 25c	
	Recording Petition, per 100 words, 15c	65		Recording same, per 100 words, 15c	
	Issuing Citation, entering Sheriff's Returns, 50c			Granting Order of Sale, 50c	
	Appointing, Notifying Guardian ad Litem, 50c	50		Issuing Order of Sale, 25c	
	Issuing Subpoena for Witnesses, 50c	50		Order to Publish Notice of Sale, 50c	
	Affidavit of Witnesses, 25c			Affidavit to Report, 25c	
	Examining Witnesses and Order Probating, \$2.00	2.00		Recording, per 100 words, 15c	
	Issuing Commission to take Deposition, 50c			Appointing Com'r to Divide, and Writ, \$2.00	
	Filing Interrogatories, 10c			Appointing and Notifying Guardian ad Litem, 50c	
	Copy of same, per hundred words, 15c				
	Recording Will, per hundred words, 15c				
	Recording Testimony, per hundred words, 15c				
	Certificate, without Seal, 25c			PARTIAL SETTLEMENT—Affi. in Account, 25c	
	Certificate, with Seal, 50c			Examining, Stating Acc't, and App. Hearing, \$1.00	
	Presiding at Trial of Contested Will, per day, \$2.50			Order to Publish Notice of Sale, 50c	
	Rec. Order App. Appraisal	1.50		Appointing and Notifying Guardian ad Litem, 50c	
	" Petition for app. Appraisal	65		Examining Vouchers, 10c	
	" Order of Appraisal to Comptroller	65		Administering Affidavits, 25c	
1/8/49	" App. Appraisal	65		Making Decree and Order to Record, \$1.50	
2/8/49	" Order to Compensation	50		Recording same, per 100 words, 15c	
	LETTERS—Affidavit in Petition, 25c			Filing Claims and Giving Receipt, 15c	
	Recording Petition, per hundred words, 15c			INSOLVENCY—Affidavit in Report, 25c	
	Granting Letters of Administration, 50c			Recording Report and State, per 100 words, 15c	
	Issuing and Recording same, 50c			Order Appointing Day for Hearing, 25c	
	Granting Letters of Guardianship, 75c			Order to Publish Notice of same, 25c	
	Issuing, Filing, and Recording same, 50c			Order for Citations, 25c	
	Taking App., Filing, Rec. Adm. Bond, \$1.50			Issuing Notice to Creditors, Day of Hearing, 50c	
	Taking App., Filing, Rec. Guard. Bond, \$1.00	1.00		Order Sustaining Report, 25c	
	Affidavit of Justification, 50c			Order for Settlement, 25c	
	Granting Order of Appraisal, 50c			Order to Publish Day of Settlement, 25c	
	Issuing Order of Appraisal, 25c			Issuing Notice of Day of Settlement, 25c	
	Recording same, per hundred words, 15c			Affidavit to Amount of Claims, 25c	
	Certified Copy Letters, 50c			Appointing, Notifying Guardian ad Litem, 25c	
	Rec. Order App. Appraisal	602			
1/8/49	" Rec. Petition for app. Appraisal	75		SALE OF REAL ESTATE—Affi. in Petition, 25c	
3/29/49	" Order of Appraisal to Comptroller	75		Recording Petition, per 100 words, 15c	
	HOMESTEAD—Rec. Petition for Com. 100 words, 15c			Order App. Day of Hearing and Notice, \$1.00	
	Rec. Order for Applicant, per 100 words, 15c			Order to Publish Notice of same, 50c	
	Recording Order for Com., per 100 words, 15c			Issuing Citation, entering Sheriff's Return, 50c	
	Notice to Commissioners, 50c			Appointing and Notifying Guardian ad Litem, 50c	
	Recording Report of Com., per 100 words, 15c			Issuing Commission to take Deposition, 50c	
	Rec. Order Setting Apart, per 100 words, 15c			Filing Interrogatories, per 100 words, 15c	
	INVENTORY—Order to App. and Rec., 50c			Copy of Interrogatories, per 100 words, 15c	
	Affidavit to same, 25c			Appointing Com'r to Divide and Issue Writ, \$2.00	
	Recording same, per 100 words, 15c			Affidavit in Report of same, 25c	
	Recording Decree, per 100 words, 15c			Order Approving Division and Report, \$1.00	
	APPRAISEMENT—Order Approving Rec., 50c			Recording same, per 100 words, 15c	
	Affidavit to same, 25c			Hearing Application for Dower, Issuing Writ, \$4.00	
	Recording same, per 100 words, 15c			Exam. Testimony and Granting Order to Sell, \$2.00	
	Issuing Order of Appraisal, 25c			Recording Depositions, per 100 words, 15c	
	Recording Warrant, per 100 words, 15c			Recording Relinquishment of Dower, 100 wds., 15c	
	Order to Approve Appraisal, 50c			Recording Report, per 100 words, 15c	
	Affidavit to Appraisal, 25c			Rec. Payment Purchase Money, per 100 words, 15c	
	Recording same, per 100 words, 15c			Making Order on Report Sale of Land, 75c	
	Recording Decree, per 100 words, 15c				
	SALE OF PERISHABLE PROPERTY—Petition, 25c			FINAL SETTLEMENT—Affidavit in Acc't, 25c	
	Recording same, per 100 words, 15c			Examining, Stating, and Reporting Account, \$1.00	
	Granting Order of Sale, 50c			Order to Publish Notice of same, 50c	
	Issuing Order of Sale, 25c			Appointing and Notifying Guardian ad Litem, 50c	
	Appointing, Notifying Guardian ad Litem, 50c			Examining Vouchers, 10c	
	Affidavit to Report, 25c			Administering Affidavits, 25c	
	Recording, per 100 words, 15c			Recording same, per 100 words, 15c	
				Decrees in Final Settlement, 50c	
	CARRIED FORWARD:				

ESTATE OF) IN THE CIRCUIT COURT OF
CORA H. SADLER,) BALDWIN COUNTY, ALABAMA.
DECEASED.) IN EQUITY.

STATE OF ALABAMA)
BALDWIN COUNTY)

TO JACOB HARTLEY, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF
CORA H. SADLER, DECEASED:

You are hereby notified that a petition, a copy of
which is attached hereto, was filed in this Court by Franklin D.
Sadler on March 21, 1950.

You are further notified that this cause shall be and
it is hereby set for hearing at the courthouse in Bay Minette, Ala-
bama at ten o'clock A. M. on the 25th day of April, 1950,
at which time you may appear and contest the said petition, if you
so desire to do.

Dated on this the 22nd day of March, 1950.

William J. Mathis, Jr.
Judge.

ESTATE OF

CORA H. SADLER,

DECEASED.

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

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

Your Petitioner, Franklin D. Sadler, 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. In the agreement of settlement that was heretofore made in this cause, which will fully appear from the written agreement dated the 28th day of February, 1950, a copy of which was filed in this cause on the 7th day of March, 1950, the funds belonging to this said estate were to be divided as follows: one-third to Petitioner, one-third to Jacob H. Hartley, and one-third to Rena Pollard.

2. The funds which were paid to Jacob H. Hartley, as Executor of and under the Last Will and Testament of Cora H. Sadler, Deceased, after payment of the court costs incurred in the special administration of the said estate, were divided among the three said parties in accordance with the said agreement.

3. Theresa Hartley, wife of the said Jacob H. Hartley, advised your Petitioner in the presence of the said Jacob H. Hartley that he, as such Executor, had in his possession or under his control on March 16, 1950, a sum of money which amounts to Five Thousand Dollars (\$5000.00) or more, and that this said sum of money was on deposit in the Merchants National Bank of Mobile, Alabama. This said sum of money has not been considered a part of the assets of this said estate, but is an asset of this said estate, and should be immediately distributed among the three said parties in accordance with the above described agreement. Petitioner was present at a conference in the court house in Bay Minette, Alabama, on Tuesday morning, March 21, 1950, at which time Jacob H. Hartley was present and at which time the said Jacob H. Hartley denied having in his possession or under his control any monies

belonging to the said estate of Cora H. Sadler, deceased.

The said Jacob H. Hartley, as Executor of this said estate, is not under bond, as such Executor, and does not have sufficient tangible assets from which a judgment against him in the amount of Five Thousand Dollars (\$5000.00), or more, could be recovered and it is, therefore, necessary that he be required to account for the said sum of money which is now in his possession or under his control, and that he be enjoined from disposing of the said sum of money, or any part thereof, except under orders or decrees of this court, as provided in the above described agreement.

WHEREFORE, Petitioner prays that the court will take jurisdiction of this petition and that it will forthwith issue an injunction against the said Jacob H. Hartley, individually and as Executor of the Estate of Cora H. Sadler, Deceased, requiring him to report under oath and within some definite date to be fixed by the Court, the amount of money and other property which has come into his hands, as Executor of the Estate of Cora H. Sadler, Deceased, and that he be enjoined from using, transferring or disposing of the said moneys, funds or other property or any part thereof, in any way or manner, except on order of this Court by a proper decree rendered in this cause. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

Rich Early - Rich Early
Solo for Petitioner.
STATE OF ALABAMA,)
BALDWIN COUNTY. }

Franklin D Sadler
Petitioner.

Before me, the undersigned authority, within and for said County in said State, personally appeared Franklin D. Sadler, 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.

Franklin D Sadler

Sworn to and subscribed before me on
this the 21st day of March, 1950.

Mary Lee Blackburn
Notary Public, Baldwin County, Alabama.

FIAT FOR INJUNCTION

TO ALICE J. DUCK, AS REGISTER OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, IN EQUITY:

The foregoing petition having been presented to me on
this date, it is Ordered that you forthwith issue an injunction in
accordance with the prayer of the said petition upon Petitioner
entering into bond in the sum of \$ 300~~00~~, conditioned as re-
quired by law.

DATED on this the 21st day of March, 1950.

Julius A. Masbury
Judge.

2336
PETITION FOR INJUNCTION

ESTATE OF CORA H. SADLER,
Deceased.

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

Filed: March 21, 1958.

Jeffair J. Maslbury, Jr.
Judge.

RECORDED

Filed 3-21-58
Anie French
Register

Received in Sheriff's Office
this 22 day of March 1958
TAYLOR WILKINS, Sheriff

Exhibit 19
by a copy of within Petition for
injunction

Jacob Hartley

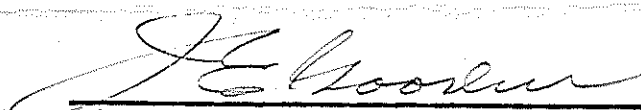
Taylor Wilkins
By J. F. Hall, Deputy Sheriff

STATE OF ALABAMA Ø Ø IN THE CIRCUIT COURT
BALDWIN COUNTY Ø Ø OF
 Ø BALDWIN COUNTY, ALABAMA
 Ø IN EQUITY
 Ø
 Ø

IN THE MATTER OF THE ESTATE OF CORA H. SADLER, DECEASED:

SUPPLEMENTAL INVENTORY

Balance Cash on hand Last Inventory		\$11989.60
Less amount paid out by order of Probate Court of Baldwin County, Alabama		
March 29, 1949	\$271.53	
August 8, 1949	750.00	
August 8, 1949	1000.00	
Total Paid Out		<u>2021.53</u>
Balance Cash on Hand		\$9968.07
U. S. Treasury Bonds No. A25961; B25962; and C25963		1500.00
Residence and all other improvements Personal property listed on former inventory		15000.00
		<u>2115.10</u>
	TOTAL	<u>\$28583.17</u>


As Administrator Ad Collegendum of the
Estate of Cora H. Sadler, deceased.

Subscribed and sworn to before
me on this the 19 day of
August, 1949.


NOTARY PUBLIC, BALDWIN COUNTY, ALABAMA

TO THE

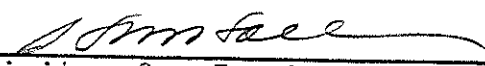
HONORABLE TELFAIR J. MASHEURN, JR., JUDGE OF THE CIRCUIT
COURT, BALDWIN COUNTY, BAY MINETTE, ALABAMA:

Come JACOB H. HARTLEY, FRANKLIN D. SADLER and RENA H.

POLLARD, by their respective counsel, and respectfully show:

FIRST: That under the combined cases of the contest of the will of Cora H. Sadler and the administration of her estate, this Court will have jurisdiction of the interest of Mrs. Rena H. Pollard, sister of Mrs. Sadler, regardless of the outcome of the will contest and it is further represented to the Court that Mrs. Pollard, herself an invalid, has recently sustained a serious injury wherein her hip was broken and is now in need of finances for her hospital and surgical expenses. The three parties hereto hereby join in a request for an order from you authorizing J. E. Gooden, the Administrator ad colligendum of the Cora H. Sadler estate, to pay to Kirby Wharton as President of the Bank of Fairhope, as Trustee, the sum of \$750.00 out of the corpus of the estate, thereby to be applied by him at his discretion in the payment of Mrs. Pollard's medical and surgical expenses. Said payment to be charged to whatever share may be ultimately awarded by this Court, or in any settlement of the pending litigation, at its final conclusion.

Your Petitioners respectfully show that the urgency of Mrs. Pollard's needs requires immediate action and as all parties hereto are represented, this petition is hereby submitted for immediate action.


Solicitor for Jacob H. Hartley


Solicitors for Franklin D. Sadler


Solicitor for Rena H. Pollard

STATE OF ALABAMA:

COUNTY OF BALDWIN:

Before me, the undersigned Notary, personally appeared this day FRANKLIN D. SADLER, who, being sworn, says that he is familiar with the physical and financial condition of Mrs. Rena H. Pollard and knows that her personal funds are exhausted and that her physical condition, due in large part to her recent injury, requires a large expense for medical and surgical care and hospitalization.

Franklin D. Sadler

Subscribed and sworn to before me on this the 16th day of November, 1949.

J. B. Blanton
Notary Public, *State of* ~~Baldwin County~~, Alabama,
at Sarge.

CORA H. SADLER, DECEASED.
ESTATE OF.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
NO. 1305

Now comes the Proponent, JACOB HARTLEY and moves the court to strike the affidavit of FRANKLIN D. SADLER for procuring testimony by interrogatories of BEULAH E. OLSON, and for grounds thereof says:

1.

That said affidavit sets out no facts authorizing the taking of said testimony by interrogatories.

2.

That the said affidavit does not comply with the requirements of title 7, Article 6 for ^{taking} ~~proving~~ testimony by deposition.

J. H. Hartley
Attorney for Proponent, Jacob
Hartley.

CORA H. SADLER, DECEASED.
ESTATE OF.

§ IN THE CIRCUIT COURT OF
§ BALDWIN COUNTY, ALABAMA
§ AT LAW

Now comes the proponent, JACOB HARTLEY, and for answer to the petition and contest heretofore filed by FRANKLIN D. SADLER, says;

1.

He denies that FRANKLIN D. SADLER, is the only child and next of kin of CORA H. SADLER, deceased, and demands strict proof of the same.

2.

He denies that FRANKLIN D. SADLER, is an heir, and entitled to share in the Estate of CORA H. SADLER, deceased.

3.

He denies the allegation that the Will of CORA H. SADLER was not executed in the mode and manner prescribed by law, but on the contrary says, that it was duly executed as required by the laws of the State of Alabama.

4.

He denies the allegation that CORA H. SADLER, at the time of making her Last Will and Testament, was incapable of making a legal Will, but on the contrary says that at the time of making her Will she was of sound mind and disposing memory and fully capable of making her Will.

5.

He denies the allegation that the said CORA H. SADLER, executed her will under his influence, that he had overpowered the Will of said decedent, and on the contrary says; that the said CORA H. SADLER, executed said Will of her own free will and accord, without any influence from or on the part of him.


6.

He denies the fact that CORA H. SADLER, executed her Will as a result of undue influence on the part of THERESA HARTLEY, and on the contrary says, that CORA H. SADLER, executed the said

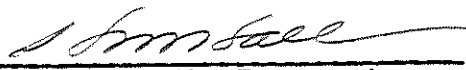
Will of her own free will and accord.

7.

He denies that either he or his wife, THERESA HARTLEY, at any time, exercised any undue influence over the said CORA H. SADLER, or did anything to prejudice her against FRANKLIN D. SADLER, of any one else.


Solicitor for the Proponent,
JACOB H. HARTLEY.

The proponent, JACOB H. HARTLEY, demands a trial by jury of the issues herein involved.


Solicitor for the Proponent,
JACOB H. HARTLEY.

Estate of

JAMES DUDLEY SADLER,

Deceased


PROBATE COURT

BALDWIN COUNTY, ALABAMA

Honorable TELFAIR J. MASHBURN, JR., Judge of the Circuit Court of Baldwin County, Alabama, having granted the petition of CLAYTON C. BALDWIN, Administrator cta, and FRANKLIN D. SADLER, for the removal of the estate of Cora H. Sadler, deceased, to the Circuit Court of Baldwin County, in Equity, as shown by decree dated August 1949, a certified copy of which is this day filed and recorded in this cause; it is, therefore:

ORDERED, ADJUDGED AND DECREED that the original file of all proceedings had in the Probate Court of Baldwin County, Alabama, together with all papers and documents relating to the estate of Cora H. Sadler, deceased, be, and the same are, hereby delivered to the Circuit Court of Baldwin County in Equity in obedience to said decree as rendered by the Judge of the Circuit Court aforesaid.

Done at Bay Minette, this the 19 day of August, 1949.



Judge of Probate

ESTATE
OF
CORA H. SADLER

o o o o o o o o o

ORDER TO TRANSFER
ESTATE OF CORA H. SADLER
FROM PROBATE TO
EQUITY COURT

o o o o o o o o o

RECORDED

The State of Alabama)
Baldwin County) In the Circuit Court of said County.
In Equity.

In the matter of the settlement
of the Administrator ad Collegendum,
upon the estate of Cora H. Sadler,
Deceased.

To the Honorable T. J. Mashburn, Jr., Judge of said Court:

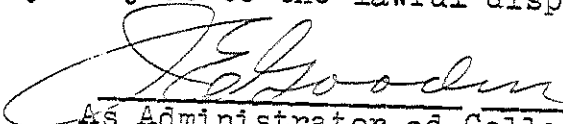
Letters testamentary upon the estate of Cora H. Sadler, Deceased, having been granted to Jacob Hartley prior to the filing of this report, which appointment is in all respects regular and according to law, The undersigned, J. E. Gooden, heretofore appointed by the Probate Court of Baldwin County, Alabama as Administrator ad Collegendum of the estate of Cora H. Sadler, Deceased, said probate court having at the time jurisdiction of said estate, do hereby render an account of all my proceedings to this honorable court to which said estate has been removed and in which said estate is now pending, which account is verified by the undersigned, and the undersigned, J. E. Gooden, as Administrator ad Collegendum does hereby pray that an order be made by this honorable court, directing him to turn over and deliver to the said Executor of said estate, all assets of said estate in his hands as such Administrator ad Collegendum, and upon such delivery of the said J. E. Gooden, as Administrator ad Collegendum of the estate of Cora H. Sadler, Deceased be discharged from all future responsibility with reference to said assets or said estate.

Report:

Attached hereto and made a part of this petition and report is a statement of said J. E. Gooden, which said statement is marked "Exhibit A." Said shows all money received by said Administrator ad Collegendum and also shows a record of all money disbursed by said Administrator. There now remains in his hands as such administrator the sum of \$9,270.73

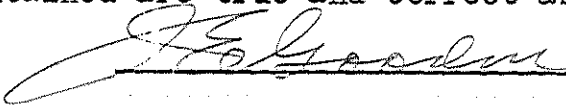
Your administrator ad collegendum also has in his hands three U. S. Treasury Bonds, No. A25961; B25962; and C25963 each in the sum of \$500.00. These bonds were found among the effects of said Deceased and are held by the undersigned.


In addition to the above property the undersigned has also taken possession of the residence of the said deceased together with the contents of said residence and inventory thereof having heretofore been filed in the probate court of Baldwin County, Alabama in the estate of Cora H. Sadler, Deceased. The undersigned hereby refers to said inventory and makes same a part of this report. He holds all such property subject to the lawful disposition thereof.


As Administrator ad Collegendum
of the estate of Cora H. Sadler,
Deceased.

The State of Alabama)
Baldwin County)

Personally appeared before me the undersigned authority, a Notary Public in and for said County in said State, J. E. Gooden, who being by me first duly sworn according to law, deposes and says that he has read the foregoing report and petition, and that the matters and things therein contained are true and correct as stated.


Subscribed and sworn to before me on this the 1st day of March, 1950.


Notary Public.

"LIFE BEGINS AT FAIRHOPE"

J. E. GOODEN REAL ESTATE & INSURANCE

TELEPHONE 8383

"WE LIVE TO SERVE - WE LOVE TO SERVE"

FAIRHOPE, ALABAMA

February 28, 1950

Statement of J. E. Gooden, Administrator Ad Collegendum of Estate of Cora H. Sadler,
Deceased

Money Deposited in Banks:

4-2-49 - Bank of Fairhope	\$11,989.60
8-9-49 - Bank of Fairhope	131.95
	25.15

TOTAL

\$12,146.70

Amounts Paid Out:

4-2-49	Fairhope Single Tax Corporation (Rent)	88.68
	County Taxes	3.55
	Town of Fairhope, Town Taxes - 1948	10.50
	Town of Fairhope, " " "	2.25
	Town of Fairhope, " " "	1.65
	Town of Fairhope, " " 1947	1.65
	Carl L. Bloxham, Prem. on Bond	85.00
	J.E. Gooden, R.E. & Ins., Ins. on Property	78.25
	H. A. Burns, Legal Fee	1,000.00
	J. E. Gooden, Administrator Fee	750.00
11-19-49	Kirby Wharton, Trustee for Mrs. Pollard	750.00
12-8-49	Fairhope Single Tax Corp., Rent and Penalty to 12-8-49	90.03
1-2-50	M. H. Wilkins, County Taxes Assessment # 1549	3.15
2-2-50	M. H. Wildins, County Taxes, Assessments # 1548-1550 1548 - 1550	7.21
	Town of Fairhope, Taxes # 1 and 2	4.05

TOTAL PAID OUT

2,875.97

BALANCE OF MONEY ON HAND

9,270.73

Exhibit A.

CORA H. SADLER, DECEASED

ESTATE OF

TO HONORABLE TELFAIR J. MASHEURN JR., JUDGE OF THE CIRCUIT
COURT OF BALDWIN COUNTY, ALABAMA:

Your Petitioner, Jacob Hartley, respectfully represents and
shows unto your Honor and this Honorable Court as follows:

1. That he is over twenty-one years of age and a resident
of Mobile, Mobile County, Alabama.
2. That he is the Executor of the Estate of Cora H. Sadler,
deceased, duly appointed and qualified in and by the Probate Court
of Baldwin County, Alabama; that no proceedings have been instituted
toward a final settlement of said cause in said Probate Court; that
in the opinion of your Petitioner, said Estate can better be adminis-
tered in a Court Chancery than in said Probate Court.

WHEREFORE your Petitioner prays that your Honor will make
of such orders and decrees as may be meet and proper to remove said
cause from the Probate Court of Baldwin County, Alabama to the
Circuit Court in Baldwin County, Alabama, In Equity.

Jacob Hartley
Petitioner

STATE OF ALABAMA
MOBILE COUNTY

I, J. H. Lane, a Notary Public, in
and for said County, in said State, personally appeared, Jacob Hartley,
who being duly sworn, deposes and says, that the statements contained
in the foregoing petition are true to the best of his knowledge, in-
formation and belief.

Jacob Hartley
Petitioner

March Sworn to and subscribed before me on this the 7th day of
March, 1950.

J. H. Lane
Notary Public, Mobile County, Alabama

Estate of
Cora H. Sadler,
Deceased.

Petition to Remove
to Equity.

Filed: March 7, 1958.

Jessie J. Masbury Jr.
Judge.

ESTATE OF CORA H. SADLER
DECEASED

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

DECREE DISCHARGING SPECIAL ADMINISTRATOR
AD COLLIGENDUM

This cause coming on to be heard on this date and being heard in open court, is submitted on the petition for final settlement filed in this cause on this date by J. E. Gooden as special administrator ad colligendum of this said estate and it appearing to the court that the only persons interested in this cause are Jacob^{H.}/Hartley, who was represented at the hearing in the said petition for final settlement by H. M. Hall, as his solicitor, Frank D. Sadler, who was present at the said hearing and who was represented by E. G. Rickarby, as his solicitor, and Rena Pollard, who was represented at the said hearing by J. B. Blackburn, as her solicitor; upon consideration of all of which it appears to the Court that the said special administration ad colligendum should be settled and the administrator and the surety on his bond finally discharged: Whereupon, it is therefore

ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The said administrator is authorized, empowered, instructed and directed to pay the Court costs incurred in this proceeding amounting to \$37.35

2. After payment of the court costs incurred in this proceeding the said special administrator shall divide the funds remaining in his possession which will amount to \$9293.38 and pay the said funds to Jacob H. Hartley, as executor of and under the Last Will and Testament of Cora H. Sadler, deceased, in three equal checks.

3. The said special administrator shall deliver all other property in his possession or under his control to the said Jacob H. Hartley, as executor of and under the Last Will and Testament of Cora H. Sadler, Deceased, and take his receipt therefor.

4. Upon compliance with the terms and provisions of this decree and upon the filing by the said special administrator in this cause of receipts for the payments provided for in this decree, he and the

surety on his bond shall be and they are hereby fully and finally relieved of all other and further liability because of the administration of the said estate.

ORDERED, ADJUDGED AND DECREED on this the 7th day of March, 1950.

J. Fair W. Mashbury, Jr.
Judge

RECORDED

DECREE DISCHARGING SPECIAL
ADMINISTRATOR AD COLLIGENDUM

ESTATE OF

CORA H. SADLER, DECEASED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2337.

Dated March 7, 1950.

Alvin J. Rucke
Register

RECORDED
INDEXED
MAR 10 1950
BALDWIN COUNTY, ALABAMA
COURT CLERK'S OFFICE
MONTGOMERY, ALABAMA

ESTATE OF

CORA H. SADLER,
DECEASED

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

DECREE REMOVING ADMINISTRATION TO EQUITY COURT

This cause coming on to be heard on this date is submitted on the Petition of Jacob Hartley to remove the administration of this said estate from the Probate Court of Baldwin County, Alabama to the Circuit Court of Baldwin County, Alabama Sitting in Equity, upon consideration of which, it is Therefore

ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That 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 Register of this Court shall forthwith deliver a copy of this Decree to the Probate Court of Baldwin County, Alabama.

ORDERED, ADJUDGED AND DECREED on this the 7th day of March, 1950.

Jeffair J. Madisewicz, Jr.
Judge