

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

Complainant

VS

Clayton C. Baldwin, as Administrator De Bonis Non Cum Testamento Annexo, of the Estate of James D. Sadler, Deceased, Franklin D. Sadler, Rena H. Pollard, Jacob Hartley, and Charles Hubert Hartley,

Respondents & Claimants

IN THE CIRCUIT COURT

OF

BALDEIN COUNTY, ALABAMA

IN EQUITY

NO.

TO THE HONORABLE T. J. MASHBURN JUDGE OF SAID COUNT IN EQUILY SITTING:

Comes now your Complainant, J. E. Gooden, as Administrator Ad Collegendum of the Estate of Cora H. Sadler, deceased, and shows unto your Honor the facts following:

- l. That he is a resident of Baldwin County, Alabama, over the age of twenty-one years, and is the duly qualified and acting Administrator Ad Collegendum of the Estate of Cora H.

 Sadler, deceased, which estate and cause is now pending in this Court. That Clayton C. Baldwin is a resident of Baldwin County, Alabama, and over the age of twenty-one years, and is the duly qualified and acting Administrator De Bonis Non Cum Testamento Annexo, of the Estate of James D. Badler, deceased. That

 Franklin D. Sadler, is over the age of twenty-one years, and a resident of Baldwin County, Alabama. That Rena H. Pollard is a resident of Baldwin County, Alabama, and over the age of twenty-one years. That Jacob Hartley and Charles Hubert Hartley, are each over the age of twenty-one years and reside in Mobile County, Alabama.
- 2. Your Complainant would show unto your Honor that heretofore James D. Sadler, deceased, departed this life in Baldwin County, Alabama, devising by last will and testament

- Executrix thereof. That she qualified as such Executrix and entered upon the performance of her duties as such Executrix and continued in such capacity until her death on to-wit December 20, 1948. Thereafter on to-wit January 8, 1949, Clayton C. Baldwin was duly appointed and qualified as Administrator De Bonis Non Cum Testamento Annexo, of the Estate of James D. Sadler, deceased, the administration of which estate is now pending in this Court, and the said Clayton C. Baldwin is the duly appointed qualified, and acting Administrator there-of.
- 3. Your Complainant would further show unto your Honor that on to-wit December 20, 1948, Cora H. Sadler, then a resident of Baldwin County, Alabama, departed this life, leaving an estate located in Baldwin County, Alabama, which estate she disposed of by last will and testament legally executed by the said Core H. Sadler. Under the terms of said will, she devised all of the property of which she died seized and possessed, to Rena H. Pollard, during the term of her natural life only, and upon the death of the said Rens H. Pollard said property to become the absolute property of Respondent, Jacob Hartley. Said will further provided that should said Respondent, Jacob Hartley die prior to the death of said Respondent, Rena H. Pollard, then, in that event, the property devised to Respondent, Jacob Hartley, under sold will was given and bequeathed unto Respondent, Charles Hubert Hartley absolutely. That in and by the terms of said last will and testament of Cora H. Sadler, deceased, the said Respondent, Jacob Eartley, was named as the Executor thereof. That subsequent to the death of the said Core H. Sadler, deceased, and prior to the filing of this bill, the said Respondent, Jacob Hartley, surren dered said last will and testament of Cora H. Sadler, deceased, to the Probate Court

of Baldwin County, Alabama for probate. That subsequent to such surrender and offer of said will for probate, and prior to the filing of this bill, said Respondents Rena H. Pollard, and Franklin Dudley Sadler, filed a contest of said will on the law side of this Honorable Court, which contest remains undetermined and is pending on the docket of said Court. That no letters Testamentary or letters of Administration, authorizing anyone to administer said estate have been issued in said estate, and that said estate remains unadministered. That by order of this Honorable Court, said estate of Cora H. Sadler, deceased, was removed from the Probate Court of Baldwin County, Alabama, to this Honorable Court, and is now pending herein.

4. Your Complainant would further show that upon the filing of said contest, the Honorable W. R. Stuart, as Judge of Probate of Baldwin County, Alabama, duly and legally certified said contest in the Circuit Court of Baldwin County, Alabama, and appointed Complainant, J. E. Gooden, a resident of Baldwin County, Alabama, as Administrator Ad Collegendum of the Estate of Cora M. Sadler, deceased. That the said J. E. Gooden, qualified as such Administrator and letters of Administration were issued to him, and he is now the duly qualified and acting Administrator Ad Collegendum of the Estate of Cora H. Sadler, deceased. That as a part of his duties, the said Administrator Ad Collegendum immediately made an inventory of the personal property belonging to the Estate of Cora H. Sadler, deceased, and filed the same in the Probate Court of Baldwin County, Alabama, which inventory showed personal property of value and in amount of \$29,104.70, and Complainant hereby refers to and adopts said inventory as a part of this bill as fully and completely as if herein fully set out. All of which assets, except as reduced by order of the Probate Court, the Complainant as Administrator Ad Collegendum of the Estate of Cora H. Sadler, deceased, holds under the law in such cases made and provided, and subject to the lawful orders of this Monorable Court.

5. Your Complainant, would further show unto your Honor that heretofore, said Clayton C. Beldwin as Administrator De Bonis Non Cum Testamento Annexo, of the Estate of the said James D. Sadler, deceased, filed in this Honorable Court his Petition for final settlement of the Estate of James D. Sadler, deceased, which Fetition is now pending. Petition, said Administrator De Bonis Non Cum Testamento Annexo, of the Estate of James D. Sadler, deceased, claims that the Estate of Core H. Sadler deceased, is indebted to the Estate of James D. Sadler, deceased, in the amount of \$29,165.85, and he further prays that an order be made directing the said J. E. Gooden as Administrator, Ad Collegendum to turn over to the Estate of James D. Sadler, deceased, a sufficient part of the assets of the Estate of Cora R. Sadler, deceased, in his hands to pay the amount claimed to be due the estate of James D. Sadler, deceased. A part of said sum of \$29,165.85, is claimed by said Administrator De Bonis Non Cum Testamento Annexo, to be due the Respondent, Franklin D. Sadler, as the heir of James D. Sadler, deceased.

Respondent, Rena H. Follard, as the heir and legatee of Cora H. Sadler, deceased, claims an interest in said property now in the hands of said Administrator Ad Collegendum, which interest is undetermined and is the subject of litigation now pending in this Honorable Court.

Respondent, Franklin D. Sadler, as the heir of Cora H. Sadler, deceased, and as the heir of James D. Sadler, deceased, claims an interest or equity in said property now being held by Complainant as Administrator Ad Collegendum, of the Estate of Cora H. Sadler, deceased, which interest is undetermined and is being litigated in this Honorable Court.

Respondents, Jacob Martley and Charles Hubert Hartley as legatees under the last will and testament of Core H. Sadler, deceased, each claim an interest in said property now held

by the Administrator Ad Collegendum of the Estate of Cora H. Sadler, deceased. Litigation concerning said interests and rights is now being prosecuted in this Honorable Court.

That in the future administration of the Estate of Cora E. Sadler, deceased, it is probable that an executor or administrator of said estate will be appointed whose duty it will be to assert a claim to the assets of said estate in the hands of your Complainant, for the proper administration of said estate.

6. This Complainant avers that the said claim of the said Clayton C. Baldwin, as Administrator De Bonis Non Cum Testamento Annexo of the Estate of James D. Sadler, deceased, to the assets of the estate of Core H. Sadler, deceased, which assets remain in the hands of your Complainant, was made prior to the filing of this bill and the said Clayton C. Beldwin as such Administrator is claiming the entire assets of the Estate of the said Cora H. Sadler, deceased, and continues to claim the same. Your Complainant further alleges that two or more adverse bona fide claimants are claiming an interest in said property and to be entitled to said property or some portion thereof as hereinbefore set out, and have made and asserted such claim prior to the filing of this interpleader or bill in the nature thereof, and are now each actively asserting his claim to and interest in such assets. That said claims, interests and equities are antagonistic one to the other. That a determination of rights and equities of the several claiments will involve a judicial finding of fact and the application of technical legal principles to the facts as found. That this Complainant, pursuant to the law in such cases made and provided, is able, ready and willing to deposit all the property in his hands and custody in the Registery of this Monorable Court to abide the Judgment of this Honorable Court respecting the claims of the varied eleiments thereto such assets 50 00posited, being shown by the supplemental inventory heretofore

filed in this cause, which supplemental inventory is hereby by reference made a part of this bill. This Cimpleiment further avers that he is now and has at all times since assuming the custody of said property, been ready, willing and anxious, to pay and deliver the same to the person or persons legally entitled to receive the same, but there are conflicting claims made to said property; that this Complainant is a mere stakeholder and has no interest in said controversy, and cannot determine without hezzerd to himself which one of the respective Claimants is legally entitled to receive the same, and doubt as to which one of the aforesaid Claimants namely, Clayton C. Baldwin as Administrator De Bonis Non Cum Testamento Annexo of the Estate of James D. Sadler, deceased; Franklin D. Sadler as heir at law of Cora H. Sadler, deceased; Franklin D. Sadler a the heir at law of James D. Sadler, deceased; Rona H. Pollard, Jacob Hartley and Charles Habert Hartley as devisees and legatees under the last will and testament of Cora H. Sadler, is right in his or her legal claim and cannot pay over and deliver said property to anyone of the said Claimants without taking upon himself the responsibility of determining the doubtful questions of law and fact arising out of said claims and the circumstances attendant thereto, and without incurring the risk of being subjected to a possible double liability if it should finally appear that he has wrongfully determined in fevor of one of such Claimants at the expense of the other. The Complainant evers that he has been called upon to employ the services of a Solicitor for the purpose of protecting the interests arising out of the conflicting claims of said Claimants as aforesaid, and to file this interpleader or bill in the nature thereof, and will be compelled to incur costs and expenses in connection therewith, all of which sums of money this Complainant alleges are and should be a legal charge upon the assets of the Estate of Core H. Sadler, deceased, paid into this Homorable Court, and should be repaid to this Complainant out of the money

and property paid into and deposited by him in Court as afore-

7. This Compalinant alleges that he does not in any respect collude with any Respondent or Claimant touching the matters and things in this action. And that your Complainant tenders said money and property to this Court to be held by this Ronorable Court pending a determination of the several claims thereto and interests and equities therein.

WHEREFORE, FREMISES COMBIDERED, this Complainant prays that your Honor will assume jurisdiction of this interpleader or bill in the nature thereof, and prays that each of said Respondents, Clayton C. Baldwin, as Administrator De Bonis Non-Cum Testamento Annexo of the Estate of James D. Sadler, Deceased; Franklin D. Sadler, Rene H. Pollard; Jacob Hartley; and Charles Hubert Hortley; be made parties hereto and that they each be required to plead, answer, or depur to this interpleader or bill in the nature thereof, within the time allowed by law for pleading. Complainant further prays that such Writs of Process so requiring them to enswer, plead, demur or interplead be issued as may be required by law. Complainant further prays that on order be made by this Honorable Court giving it the right to interplead by way of interpleader or bill in the nature thereof, and to pay into and deposit said assets described in said bill into the Registery of this Honorable Court, and that said Respondents or Claimants and each of them be directed to interplead and propound their respective claims to said assets. This Complainant further prays that upon the payment into and the deposit of said assets with the Registery of this Ronorable Court, that he be relieved and released from further or other liability or duty in the Promises, and that the Respondents or Claimants, and each of them be enjoined from making any further claim against Complainant by virtue of his appointment or actions as Administrator Ad Collegendum of the Estate of Cora H. Sadler, deceased. And Complainant further prays that he be allowed

This Complainant further prays that if mistaken in the relief specifically herein prayed for, then he be granted such other, further, different and general relief to which he may be entitled in the premises. And your Complainant will ever pray.

Solicitor for Complainant

The track

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

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

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

Comes now H. A. Burns, Attorney of Record for J. E. Gooden, as Administrator ad Collegendum of the estate of Cora H. Sadler, Deceased, and shows unto the Court as follows:

- 1. That heretofore, by order of this honorable court, J. E. Gooden was duly appointed Administrator ad Collegendum of the Estate of Cora H. Sadler, Deceased. That immediately thereafter the said Gooden qualified as such administrator by filing his bond in this court which bond was duly approved, whereupon he entered upon the administration of said estate, and is the duly qualified and acting administrator ad collegendum
- 2. Thesaid Gooden, as such administrator, upon qualifying, at once began to collect the goods and chattels of the estate and to secure and preserve such goods and chattels, which goods and chattels he holds subject to the law in such cases made and provided, and the MERRE orders of this honorable court.
- 3. Thesaid J. E. Gooden, as Administrator ad Collegendum, employed H. A. Burns, an attorney at law, to advise and assist him in the performance of his official duties as such administrator. That said Attorney has not been paid nor received any compensation for his services rendered to said Administrator ad Collegendem under such employment. That said attorney has, since the date of his said employment to the date of this petition, faithfully and to the best of his ability served said administrator in all matters referred to him. That he has counselled and advised said administrator on all legal questions arising out of his duties as such administrator, and has assisted in developing, collecting, marshalling, protecting and preserving the assets of this estate.

Premises Considered, your petitioner prays that this court will hear this his petition and that upon such hearing, Your Honor will make and enter an order or decree, fixing a reasonable sum to be paid to petitioner as compensation for his services rendered said administrator ad collegendum, from the date of his

for legal services rendered said administrator from the dateof his employment to the date of km such decree.

Petitioner.

That your honor will make and enter a decree approving the payment of said sum to said attorney as a proper charge against the assets of said estate in the possession of said Administrator ad Collegendum.

Sworn to and subscribed before me on this the day of August, 1949.

Notary 2anu I heard

achimentation and Collegentine.

The State of Alabama)
In the Frobate Court of said County.

Baldwin County

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

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

The following is an inventory of all of the goods, chattels, money, books, papers and evidences of debt of the said Cora H. Sadker, Deceased, which have come into the hands of J. Z. Gooden, as Administrator Ad Collegendum.

INVENTORY OF SADLER HOUSE AND CONTENTS

Rear - Downstairs-NE Corner Mrs. Badler's Room

Mrs. Badler.a voom		
1 Chifforobe and Contents V	alue \$10.00	
Contents mainly articles of Cl	othing - No app	reciable value.
1 Pistol V	alue 5.00	
1 Secretary and Contents	5.90	
Contents of no apparent value.		
2 Electric Irons	8 3.90 ea.	
l Piano Stool	8 .50	
3 Straight Chairs	≈ .75 ea.	
l Bed and Linen	⁸ 25.00	
l Small Bedside Table	2000	The second secon
1 Studio Couch and Contents cons	isting of indis	criminate clothing, bed-
linens, blankets & afghan Va	lue 100.00	
1 Odd lot of Costume Jewelry o	f no apparent v	alue. and several old
shoes.		
Silverware:		
12 Silver Knives	l Serving Spoo	on.
23 Butter Spreaders	1 Carving Knif	:
36 Forks	l Carving Fork	
53 Spoons	l Pie Server	
l Asst. Individual Salt Servers		Spoon
1 Cork Screw	l Sugar Tongs	
l Butter Knige	l Olive S poor	
1 Fork	l Cream Ladle	
l Gravy Ladle	l Silver Knife	
l Sugar Shell	l Napkin Ring	
l Top for Wine Bottle	_	Value \$500.90
<u> </u>		
KITCHEB		
		A Proposition of the Control of the
l Lot Cooking utensils (in pant	EA. Done of me amendment of the transfer of th	lue \$35.90
Contents of Wall Cabinet		" 5.90
Kitchen Cabinet & Contents		50x66 15.90
l Cabinet & contents - dishes		90800
1 Gas Range		75.00
l Electric Grill		3830
l Electric Toaster		0.00
l Electric Grill		0000
4 Kitchen Chairs		# 2x30 2.00
l Stool		7070
l Table		0000
1 Set Butcher Knives		0000
l Aluminum kettle		.25
l Base - Kitchen Cabinet,		2.90
Miscellaneous items - apparent	ASTRE	the state of the s
l Westinghouse refrigerator		50.90
\$\tag{\tau_1}\tau_2\tau_2\tau_3\tau_3\tau_4\tau_		
HALLWAY		
a Hall Chairs	4.	5,90 for 3
3 Hall Chairs 1 Chest of drawers & contents -	Aggit Tinong	
T CUER OI GLEMELR & COUPERING -	add ve minde	
BATHROOM - DOWNSTAIRS		
l Bathroom Cabinet	A Committee of the Comm	• 50
3 Towels		· 50
l Small Stand and Mirror		
a watche to collect collect state to the		^m 。75
2 Pang		* .75 * .50
2 Pans		

RECEPTION ROOM

6 Chairs			
	Water	75 OO	
1 Secretary	Value		
l Library Table	m	25.00	
l Wall Clock	89	10.00	
1 Round Table	5	10.00	
1 Book Case and Contents		5.00	
l Lot of Pictures	19	25,90	
1 Alarm Clock	8	5,90	
l Electric Fam	0 8	_ • 50	
4 Rugs	MI MI	5.90	
7 Augs	100)	5.00	
LIVING ROOM			
CE Paparago varia marawang sa sa sakara da da da sa			
1 Book Case and contents	6	50.90	,
1 Book Case and contents - including status	ettec	50,90	,
1 Square Table	# O O O O O	5.90	•
1 Small table			
1 Combination Radio-Phonograph	50	_5.00 	
1 Small Library Table	90	50.00	
1 Lamp Base	50	5.90	
l Electric Fan	80	5.90	
1 Record Cabinet and Contents	68	5.00	
1 Sewing Stand and contents	98	10.90	
1 Center Table	55	1.90	
1 Lamp	55	10.00	
l Lot Picaures	80 100	5.90	
		25.90	
5 Chairs		50.00	
5 Rugs	68	35.00	AN .
Assorted Clothing in closet - no apparent			
SMALL ROOM EAST OF LIVING ROOM			
_l_Side_Table	Si	5.00	
"I Cot "	6	3.90	
2 Chairs	6	2.00	and the second second
1 Dresser Base and Contents	69	5.00	
l Secretary & contents	. 🕲	10.00	and the second
2 Mirrors	Ø	5.00	
1 Costumer		1.50	
l Dressing Table and contents	W	5.00	
l File Case	Ø	5.00	•
3 A A 73 A 497 _			
l Air Rifle		1,00	
3 Card Tables	93	1.00	
3 Card Tables	90 90	3.90	. •
3 Card Tables Assortment of Pictures & odd Mirrors			
3 Card Tables		3.90	
3 Card Tables Assortment of Pissures & odd Mirrors DINING ROOM	98	3.90 5.90	ر دونه شدن جوی موجود شده شده داشت.
3 Card Tables Assortment of Pictures & odd Mirrors DINING ROOM 1 Small Half Table		3.90 5.90 	والمراد المراد ا
3 Card Tables Assortment of Pittures & odd Mirrors DINING ROOM 1 Small Half Table 1 Sideboard base and contents	98	3,90 5,90 .50 25,00	
3 Card Tables Assortment of Pittures & odd Mirrors DINING ROOM 1 Small Half Table 1 Sideboard base and contents 1 Mirror	90 00 95 98	3.90 5.90 .50 25.00 5.00	
3 Card Tables Assortment of Pittures & odd Mirrors DINING ROOM 1 Small Half Table 1 Sideboard base and contents 1 Mirror 1 Steamer trunk(with assorted linens)	(1) (1) (2) (3) (3) (4)	5.00 5.00 .50 25.00 5.00 35.00	
3 Card Tables Assortment of Pittures & odd Mirrors DINING ROOM 1 Small Half Table 1 Sideboard base and contents 1 Mirror 1 Steamer trunk(with assorted linens) 1 Brop-leaf table	90 00 95 98	5.00 5.00 .50 25.00 5.00 35.00	
Assortment of Pictures & odd Mirrors DINING ROOM 1 Small Half Table 1 Sideboard base and contents 1 Mirror 1 Steamer trunk(with assorted linens) 1 Brop-leaf table 1 Server tray	60 60 60 60 60 63	5.00 5.00 .50 25.00 5.00 35.00	
Assortment of Pittures & odd Mirrors DINING ROOM 1 Small Half Table 1 Sideboard base and contents 1 Mirror 1 Steamer trunk(with assorted linens) 1 Brop-leaf table 1 Server tray Contents of built in cabinet - Glassware, d	60 60 60 60 60 63	3.90 5.90 .50 25.00 5.00 35.00 3.00 1.00 75.00	
Assortment of Pittures & odd Mirrors DINING ROOM 1 Small Half Table 1 Sideboard base and contents 1 Mirror 1 Steamer trunk(with assorted linens) 1 Brop-leaf table 1 Server tray Contents of built in capinet - Glassware, d	60 60 60 60 60 63	3.90 5.90 .50 25.00 5.00 35.00 3.00 1.00 75.00	
Assortment of Pittures & odd Mirrors DINING ROOM 1 Small Half Table 1 Sideboard base and contents 1 Mirror 1 Steamer trunk(with assorted linens) 1 Brop-leaf table 1 Server tray Contents of built in cabinet - Glassware, d 1 mirror 1 Floor lamp	60 60 60 60 60 63	3.90 5.90 .50 25.00 5.00 35.00 3.00 1.00 75.00 .50 2.50	
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Assortment of Pittures & odd Mirrors DINING ROOM 1 Small Half Table 1 Sideboard base and contents 1 Mirror 1 Steamer trunk(with assorted linens) 1 Brop-leaf table 1 Server tray Contents of built in cabinet - Glassware, d 1 mirror 1 Floor lamp 1 small table 1 small trunk & contents	60 60 60 60 60 63	3.90 5.90 .50 25.00 5.00 35.00 3.00 1.00 75.00 2.50 .50	
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Assortment of Pittures & odd Mirrors DINING ROOM 1 Small Half Table 1 Sideboard base and contents 1 Mirror 1 Steamer trunk(with assorted linens) 1 Brop-leaf table 1 Server tray Contents of built in cabinet - Glassware, dimirror 1 Floor lamp 1 small table 1 small trunk & contents 1 sideboard & contents Assorted items attached to walls, pictures, dishes, 1 Electrolum Vacuum Cleaner 9 chairs - assorted		3.90 5.90 5.90 25.00 35.00 35.00 3.00 1.00 75.00 25.00 25.00 25.00 9.00	

NORTHEAST CORNER (UPSTAIRS)

HOTELINESS COTHINE (OF DITITION)			
l Chifforobe 1 Chair step ladder 1 Bedside Table 1 Table Lamp 1 Alarm Clock 1 Complete Bed and Linen 2 Mirrors 1 Chest of Drawers & contents 1 Magazine Rack 1 Electric Fan 2 Chairs	Value	10.90 .59 1.90 1.90 1.90 2.90 10.00 .50 5.90 2.90	
BATH * UPSTAIRS 1 Shower rack 1 Wash pan 1 slop Jar 1 Mirror 1 Electric Heater 1 Cabinet	Ø	2.00	
HALLWAY * UPSTAIRS			
l Table l Settee l Chair l Hammer 3 Rugs	00 00 00 00	2.00 1.00 1.00 .10 3.00	
# 3 BEDROOM - UPSTAIRS - NORTHWEST		· · · · · · · · · · · · · · · · · · ·	
l Chest of Drawers and contents Library Table 1 Steamer Deck Charr 1 Cedar Chifforobe 2 Marble -top Dresser 1 Hat Rack 2 Foot Lockers 1 Single Bed Complete 1 Double Bed 4 Chairs 5 Pictures 3 Rugs	100 min	10.00 2.50 10.90 10.90 1.00 5.00 5.00 5.00 2.00	
STORAGE ROOM - CENTER UPSTAIRS			
l Chest Drawers & Contents l Vanity Dresser l Cedar Closet l Table l Iron Bed 2 Small Tables 6 Chairs l Stool l Small Chest l Sewing Basket	55 50 50 50 50 50 50 50 50 50 50	15.00 10.00 10.00 2.00 2.00 5.00 .50 2.00	
SOUTH BEDROOM - UPSTAIRS 2 Twin Beds, complete 1 Dresser 1 Cot 2 Fish Rods 1 Flower Stand 9 Chairs 7 Rugs - no value 1 Lot pictures	69 80 80 84 85	40.00 5.00 1.00 5.00 .50 5.00	

CENTER BEDROOM - UPSTAIRS

Miscellaneous items of no apparent value

LAUNDRY AND WORK SHOP		والله الله وقيد عرب حاله وبد الله الله الله	سے نئیے چینہ بنی سے حالت شاہ شاہ ہیں ہیں۔
Tool Cabinet and Tools 1 Heater 1 Work Bench and	Value	10.00	
1 Lot miscellaneous tools and utensil 4 Trunks and contents - no apparent v		50.00	
GARAGE			
		75.00	
L Wheel Chair l Wheel Barrow		2.00	
PORCH FURNITURE			
2 Tables - Red)	6	25 00	
l Glider - ")		25.00	
1 Lawn Mower	33	5.00	
1 Hose Reel & Hose		2.00	
2 Cots	. 60	2.00	
6 Flower Pots	(R)	5.00	
1 Steel Table	18	1.00 10.00	
l Heating Lamp l Setp Ladder	68	2.00	· · · · · · · · · · · · · · · · · · ·
2 Garage Doors	68	,	
Hand Saw	08	2.00	The second second second
Assit. Cedar Lumber	16	25.00	
· · · · · · · · · · · · · · · · · · ·			

PESIDENCE AND ALL OTHER IMPROVEMENTS -	\$15,000.00
MONEY ON HAND	11,989.60
PROPERTY ABOVE LISTED	2,115.10
TOTAL	29.104.70

The State of Alabama)
Baldwin County

estate of Cora H. Sadler, Deceased, being sworn, makes oath that the foregoing inventory, made by him, is of the property of the said deceased, and was the property of said deceased at the time of her death, according to the best of affiants knowledge and belief, and is all of the property of said deceased which has come into his possession as administrator as colligendum of the ewtate of Cora H. Sadler, Deceased.

Sworn to and subscribed before me on this the 28 day of February,

1949.

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

In the matter of the Estate of Cora H. Sadler. Decea sed

Your petitioner, J. E. Gooden, as Administrator ad Collegendum of the Estate of Cora H. Sadler, Deceased, shown unto your Honor the facts following:

lst. That he is the duly qualified and acting administrator ad Collegendum of the Estate of Cora H. Sadler, Deceased. That upon appointment and qualification as such Administrator he immediately entered upon the performance of his official duties in and about collecting, protecting and preserving the assetsof said estate. That he now has in his custody assets amounting to twenty nine thousand one hundred and four and 70/100 (\$29,104.70) dollars. as shown by his inventory heretofore filed in this cause, all of which he holds under the law in such cases made and provided and subject to the orders of this court.

2nd. That petitioner has devoted a great amount of time and energy to the performance of his official duties as such administrator as collegendum, and has assumed great responsibility in relation to said assets.

3rd. That your petitioner has received no compensation for the performance of his official duties as such administrator ad collegendum.

Premises Considered, Your petitioner prays that this court, upon a hearing of this petition, fix a reasonable sum to be paid petitioner, as partial compensation, for his services as such administrator ad collegendum, and that he be directed to pay said sum so fixed to the administrator ad collegendum, from the assets in his possession as such administrator ad collegendum.

Petitioner further prays that, such payment, when made, be allowed as a proper credit to such administrator ad collegendum on hisaccount.

> Joulus As Administrator ad Collegendum of the Estate of Cora H. Sadler, Deceased. Petitioner.

Subscribed and sworn to before me on this the August, 1949

day of

Notary Public.

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

Baldwin County

In the matter of the Estate

of Cora H. Sadler, Deceased.

This matter coming on to be heard upon the petition of H. A. Burns, Attorney of Record for J. E. Gooden, Administrator ad Collegendum of the Estate of Cora H. Sadler, Deceased, praying among other things, that he be allowed compensation for legal services rendered said Administrator ad Collegendum from the date of his employment as such Attorney to the date of this decree, the Court considering said petition and the evidences introduced in support thereof, is of the opinion that petitioner is entitled to the relief prayed, and no adverse interest appearing, it is therefore, by the Court:

Ordered, Adjudged and Decreed, that the sum of (\$ / 000) dollars is a reasonable and proper sum to be paid to said attorney for his services heretofore rendered as Attorney for the Administrator ad Collegendum. That the said J. E. Gooden, as Administrator ad Collegendum be and he is hereby ordered, empowered and directed to pay to the said H. A. Burns his attorney the sum of (\$ / 000) dollars as full compensation for legal services rendered by him to said administrator ad collegendum from the date of his employment as such attorney to the date of this decree.

It is further ordered, adjudged and decreed that the payment ofsaid sum is a proper and reasonable charge against the assets of said estate in the presession of said Administrator ad Collegendum, and is allowed as a proper credit to the account of said Administrator ad Collegendum.

All other questions are hereby reserved.

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

Probaté Judge.

Estate of Cora H. Sadler, Deceased

In the Probate Court of Baldwin County, Ala, January 26, 1949.

In the matter of the application for the appointment of a Special Administrator of the Estate of said decedent:

Comes Franklin D. Sadler, and files in Court his application praying the court to appoint a Special Administrator, and suggests the name of J.E.Gooden, as such Special Administrator of the Estate of Cora E. Sadler, Deceased, with authority to collect and preserve the goods of said decedent until letters of Administration or Testamentary, shall have been granted upon said estate. Said application is in writing and is as follows:

Comes Franklin D. Sadler, contestant in the above styled cause, and shows that the assets of the estate of decedent are pending the appointment of a suitable personal representative of decedent, liable to waste or deterioration and prayathat a special administrator be named for such purpose under the provisions of Title 61, Section 89 of the Code of Alabama upon giving bond in such sum as to this court may seem proper.

upon giving bond in such sum as to this court may seem proper.

Petitioner further shows that to the best of his knowledge and belief the assets of the estate consist of approximately two thousand dollars in cash, some Government securities—the whole totaling about eleven thousand dollars, and the home of decedent in Fairhope, together with two small parcels of realty, also the furniture and personal effects of decedent now in her home.

Petitioner suggests the name of J.A.Gooden as a disinterested and responsible resident of Fairhope, a suitable person to act as such special administrator pending such further orders as may be made in the administration of this estate.

Franklin D. Sadler, Petitioner.

And it appearing to the satisfaction of the court that
the allegations of said application are true: that letters testamentary have not been granted upon the estate of said decedent: that it is necessary to appoint a Special Administrator
for the purpose of collecting and preserving the goods of said
decedent until the grant of Letters Testamentary or of Administration.

It is therefore ordered, adjudged and decreed by the court that the said J.E.Gooden, be and heis hereby appointed Special Administrator of the estate of said Cora H. Sadler, Deceased, with all the power and authority conferred under the law, upon his entering into bond, with sufficient sureties, payable to, and to be approved by the Judge of this Court, in the penal sum of fifteen thousand dollars and conditioned to perform all the duties which are or may be required of him as such Special Administrator.

Judge of Probate.

Estate of CORA H. SADLER, Deceased

RROBATE COURT OF
BALDWIN COUNTY, ALABAMA

This day came FRANKLIN D. SADLER, a party to the contest of the will of Cora H. Sadler, deceased, and filed herein his demand in writing for the removal of the contest to the Circuit Court of Baldwin County, Alabama, as provided for by the 1940 Code of Alabama, Title 61, Section 63 and demanding that the hearing of said cause be transferred from the Probate Court of Baldwin Gounty to the Circuit Court of said County, and upon consideration thereof, it is 50 c

ORDERED and and DUDGED by the Court that the contest of the will of Cora H. Sadler, deceased, be and the same is hereby transferred to the Circuit Court of Baldwin County, Alabama, and that all original papers on file relating to these proceedings be certified to the Clerk of said Court.

It further appearing that it is to the interest of the estate that pending said contest and until the appointment of a duly authorized Executor or Administrator the assets of the estate should be collected and safeguarded and that J. E. Gooden, a resident of Fairhope, Alabama, is a disinterested and suitable party to act for such purpose, the said J. E. Gooden is hereby nominated and appointed as such special Administrator under the provisions of Title 61, Section 89 of the Code to collect and safeguard the assets of the estate until further orders of the Court having jurisdiction of the cause. Said appointment to be effective upon said special Administrator's filling bond as such in the penal sum of Fifteen Thousand Dollars.

Done this

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Judge of Probate.

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Estate of CORA H. SADLER, Deceased

PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

This day came FRANKLIN D. SADLER, a party to the contest of the will of Cora H. Sadler, deceased, and filed herein his demand in writing for the removal of the contest to the Circuit Court of Baldwin County, Alabama, Tas provided for by the 1940 Code of Calabama, Title 61, Section 63 and demanding that the hearing of County to the Circuit Court of Said County, and upon consideration thereof, it is

ordered and adjudged ty the Court that the contest of the will of Cora H. Sadler, deceased be and the same is hereby transferred to the Circuit Court of Baldwin County, Alabama, and that all original papers on file relating to these proceedings be certified to the Clerk of said Court.

It further appearing that it is to the interest of the estate that pending said contest and until the appointment of a duly authorized Executor or Administrator the assets of the estate should be collected and safeguarded and that J. E. Gooden, a resident of Fairhope, Alabama, is a disinterested and suitable party to act for such purpose, the said J. E. Gooden is hereby nominated and appointed as such special Administrator under the provisions of Title 61, Section 89 of the Code to collect and safeguard the assets of the estate until further orders of the Court having jurisdiction of the cause. Said appointment to be effective upon said special Administrator's filling bond as such in the penal sum of Fifteen Thousand Polkers.

Done this

day of

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Judge of Probate.

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Estate of CORA H. SADLER, Deceased

PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

cause, and shows that the assets of the estate of decedent are, pending the appointment of a suitable personal representative of decedent, liable to waste or deterioration and prays that a special Administrator be named for such purpose under the provision of Title 61, Section 89 of the Code of Alabama upon giving bond in such sum as to this Court may seem proper.

Petitioner further shows that to the best of his knowledge and belief the assets of the estate consist of approximately

Two Thousand Dollars in cash, some Government securities— the Eleven whole totalling about KXXX Thousand Dollars— and the home of decedent in Fairhope, together with two small parcels of realty, also the furniture and personal effects of decedent now in her home.

Petitioner suggests the name of J. E. Gooden as a disinterested and responsible resident of Fairhope, a suitable person to act as such special Administrator pending such further orders as may be made in the administration of this estate.

Franklin & Medler
Petitioner.

Subscribed and sworn to before me this 22 2 md day of

January, 1949.

Elliote G. Qin Landy.

Notary Public, Baldwin County, Alabama.

Ries als Contestant.

Estate of CORA H. SADLER, Deceased A SPECIAL ADMINISTRATOR

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

Complainant

VS

Clayton C. Baldwin, as Administrator De Bonis Non Cum Testamento Annexo, of the Estate of James D. Sadler, Deceased, Franklin D. Sadler, Rena H. Pollard, Jacob Hartley, and Charles Hubert Hartley,

Respondents & Claimants

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Q	IN THE CIRCUIT COURT
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TO THE HONORABLE T. J. MASHBURN J2-JUDGE OF SAID COURT IN EQUITY SITTING:

Comes now your Complainant, J. E. Gooden, as Administrator Ad Collegendum of the Estate of Cora H. Sadler, deceased, and shows unto your Honor the facts following:

- 1. That he is a resident of Baldwin County, Alabama, over the age of twenty-one years, and is the duly qualified and acting Administrator Ad Collegendum of the Estate of Cora H.

 Sadler, deceased, which estate and cause is now pending in this Court. That Clayton C. Baldwin is a resident of Baldwin County, Alabama, and over the age of twenty-one years, and is the duly qualified and acting Administrator De Bonis Non Cum Testamento Annexo, of the Estate of James D. Sadler, deceased. That Franklin D. Sadler, is over the age of twenty-one years, and a resident of Baldwin County, Alabama. That Rena H. Pollard is a resident of Baldwin County, Alabama, and over the age of twenty-one years. That Jacob Hartley and Charles Hubert Hartley, are each over the age of twenty-one years and reside in Mobile County, Alabama.
- 2. Your Complainant would show unto your Honor that heretofore James D. Sadler, deceased, departed this life in Baldwin County, Alabama, devising by last will and testament

all property of which he died seized and possessed unto Cora H. Sadler, his wife and widow, who was named in said will as Executrix thereof. That she qualified as such Executrix and entered upon the performance of her duties as such Executrix and continued in such capacity until her death on to-wit December 20, 1948. Thereafter on to-wit January 8, 1949, Clayton C. Baldwin was duly appointed and qualified as Administrator De Bonis Non Cum Testamento Annexo, of the Estate of James D. Sadler, deceased, the administration of which estate is now pending in this Court, and the said Clayton C. Baldwin is the duly appointed qualified, and acting Administrator thereof.

Your Complainant would further show unto your Honor that on to-wit December 20, 1948, Cora H. Sadler, then a resident of Baldwin County, Alabama, departed this life, leaving an estate located in Baldwin County, Alabama, which estate she disposed of by last will and testament legally executed by the said Cora H. Sadler. Under the terms of said will, she devised all of the property of which she died seized and possessed, to Rena H. Pollard, during the term of her natural life only, and upon the death of the said Rena H. Pollard said property to become the absolute property of Respondent, Jacob Hartley. Said will further provided that should said Respondent, Jacob Hartley die prior to the death of said Respondent, Rena H. Pollard, then, in that event, the property devised to Respondent, Jacob Hartley, under said will was given and bequeathed unto Respondent, Charles Hubert Hartley absolutely. That in and by the terms of said last will and testament of Cora H. Sadler, deceased, the said Respondent, Jacob Hartley, was named as the Executor thereof. That subsequent to the death of the said Cora H. Sadler, deceased, and prior to the filing of this bill, the said Respondent, Jacob Hartley, surren dered said last will and testament of Cora H. Sadler, deceased, to the Probate Court

of Baldwin County, Alabama for probate. That subsequent to such surrender and offer of said will for probate, and prior to the filing of this bill, said Respondents Rena H. Pollard, and Franklin Dudley Sadler, filed a contest of said will on the law side of this Honorable Court, which contest remains undetermined and is pending on the docket of said Court. That no Letters Testamentary or Letters of Administration, authorizing anyone to administer said estate have been issued in said estate, and that said estate remains unadministered. That by order of this Honorable Court, said estate of Cora H. Sadler, deceased, was removed from the Probate Court of Baldwin County, Alabama, to this Honorable Court, and is now pending herein.

4. Your Complainant would further show that upon the filing of said contest, the Honorable W. R. Stuart, as Judge of Probate of Baldwin County, Alabama, duly and legally certified said contest in the Circuit Court of Baldwin County, Alabama, and appointed Complainant, J. E. Gooden, a resident of Baldwin County, Alabama, as Administrator Ad Collegendum of the Estate of Cora H. Sadler, deceased. That the said J. E. Gooden, qualified as such Administrator and Letters of Administration were issued to him, and he is now the duly qualified and acting Administrator Ad Collegendum of the Estate of Cora H. Sadler, deceased. That as a part of his duties, the said Administrator Ad Collegendum immediately made an inventory of the personal property belonging to the Estate of Cora H. Sadler, deceased, and filed the same in the Probate Court of Baldwin County, Alabama, which inventory showed personal property of value and in amount of \$29,104.70, and Complainant, hereby refers to and adopts said inventory as a part of this bill as fully and completely as if herein fully set out. All of which assets, except as reduced by order of the Probate Court, the Complainant as Administrator Ad Collegendum of the Estate of Cora H. Sadler, deceased, holds under the law in such cases made and provided, and subject to the lawful orders of this Honorable Court.

5. Your Complainant, would further show unto your Honor that heretofore, said Clayton C. Baldwin as Administrator De Bonis Non Cum Testamento Annexo, of the Estate of the said James D. Sadler, deceased, filed in this Honorable Court his Petition for final settlement of the Estate of James D. Sadler, deceased, which Petition is now pending. Petition, said Administrator De Bonis Non Cum Testamento Annexo, of the Estate of James D. Sadler, deceased, claims that the Estate of Cora H. Sadler deceased, is indebted to the Estate of James D. Sadler, deceased, in the amount of \$29,165.85, and he further prays that an order be made directing the said J. E. Gooden as Administrator, Ad Collegendum to turn over to the Estate of James D. Sadler, deceased, a sufficient part of the assets of the Estate of Cora H. Sadler, deceased, in his hands to pay the amount claimed to be due the estate of James D. Sadler, deceased. A part of said sum of \$29,165.85, is claimed by said Administrator De Bonis Non Cum Testamento Annexo, to be due the Respondent, Franklin D. Sadler, as the heir of James D. Sadler, deceased.

Respondent, Rena H. Pollard, as the heir and legatee of Cora H. Sadler, deceased, claims an interest in said property now in the hands of said Administrator Ad Collegendum, which interest is undetermined and is the subject of litigation now pending in this Honorable Court.

Respondent, Franklin D. Sadler, as the heir of Cora H. Sadler, deceased, and as the heir of James D. Sadler, deceased, claims an interest or equity in said property now being held by Complainant as Administrator Ad Collegendum, of the Estate of Cora H. Sadler, deceased, which interest is undetermined and is being litigated in this Honorable Court.

Respondents, Jacob Hartley and Charles Hubert Hartley as legatees under the last will and testament of Cora H. Sadler, deceased, each claim an interest in said property now held

by the Administrator Ad Collegendum of the Estate of Cora H. Sadler, deceased. Litigation concerning said interests and rights is now being prosecuted in this Honorable Court.

That in the future administration of the Estate of Cora H. Sadler, deceased, it is probable that an executor or administrator of said estate will be appointed whose duty it will be to assert a claim to the assets of said estate in the hands of your Complainant, for the proper administration of said estate.

This Complainant avers that the said claim of the said Clayton C. Baldwin, as Administrator De Bonis Non Cum Testamento Annexo of the Estate of James D. Sadler, deceased, to the assets of the estate of Cora H. Sadler, deceased, which assets remain in the hands of your Complainant, was made prior to the filing of this bill and the said Clayton C. Baldwin as such Administrator is claiming the entire assets of the Estate of the said Cora H. Sadler, deceased, and continues to claim the same. Your Complainant further alleges that two or more adverse bona fide claimants are claiming an interest in said property and to be entitled to said property or some portion thereof as hereinbefore set out, and have made and asserted such claim prior to the filing of this interpleader or bill in the nature thereof, and are now each actively asserting his claim to and interest in such assets. That said claims, interests and equities are antagonistic one to the other. That a determination of rights and equities of the several claimants will involve a judicial finding of fact and the application of technical legal principles to the facts as found. this Complainant, pursuant to the law in such cases made and provided, is able, ready and willing to deposit all the property in his hands and custody in the Registery of this Honorable Court to abide the Judgment of this Honorable Court respecting the claims of the varied claimants thereto such assets so deposited, being shown by the supplemental inventory heretofore

filed in this cause, which supplemental inventory is hereby by reference made a part of this bill. This Cimplainant further avers that he is now and has at all times since assuming the custody of said property, been ready, willing and anxious, to pay and deliver the same to the person or persons legally entitled to receive the same, but there are conflicting claims made to said property; that this Complainant is a mere stakeholder and has no interest in said controversy, and cannot determine without hazzard to himself which one of the respective Claimants is legally entitled to receive the same, and doubt as to which one of the aforesaid Claimants namely, Clayton C. Baldwin as Administrator De Bonis Non Cum Testamento Annexo of the Estate of James D. Sadler, deceased; Franklin D. Sadler as heir at law of Cora H. Sadler, deceased; Franklin D. Sadler a the heir at law of James D. Sadler, deceased; Rena H. Pollard, Jacob Hartley and Charles Hubert Hartley as devisees and legatees under the last will and testament of Cora H. Sadler, is right in his or her legal claim and cannot pay over and deliver said property to anyone of the said Claimants without taking upon himself the responsibility of determining the doubtful questions of law and fact arising out of said claims and the circumstances attendant thereto, and without incurring the risk of being subjected to a possible double liability if it should finally appear that he has wrongfully determined in favor of one of such Claimants at the expense of the other. The Complainant avers that he has been called upon to employ the services of a Solicitor for the purpose of protecting the interests arising out of the conflicting claims of said Claimants as aforesaid, and to file this interpleader or bill in the nature thereof, and will be compelled to incur costs and expenses in connection therewith, all of which sums of money this Complainant alleges are and should be a legal charge upon the assets of the Estate of Cora H. Sadler, deceased, paid into this Honorable Court, and should be repaid to this Complainant out of the money

and property paid into and deposited by him in Court as afore-said.

7. This Compalinant alleges that he does not in any respect collude with any Respondent or Claimant touching the matters and things in this action. And that your Complainant tenders said money and property to this Court to be held by this Honorable Court pending a determination of the several claims thereto and interests and equities therein.

WHEREFORE, PREMISES CONSIDERED, this Complainant prays that your Honor will assume jurisdiction of this interpleader or bill in the nature thereof, and prays that each of said Respondents, Clayton C. Baldwin, as Administrator De Bonis Non Cum Testamento Annexo of the Estate of James D. Sadler, Deceased; Franklin D. Sadler, Rena H. Pollard; Jacob Hartley; and Charles Hubert Hartley; be made parties hereto and that they each be required to plead, answer, or demur to this interpleader or bill in the nature thereof, within the time allowed by law for pleading. Complainant further prays that such Writs of Process so requiring them to answer, plead, demur or interplead be issued as may be required by law. Complainant further prays that an order be made by this Honorable Court giving it the right to interplead by way of interpleader or bill in the nature thereof, and to pay into and deposit said assets described in said bill into the Registery of this Honorable Court, and that said Respondents or Claimants and each of them be directed to interplead and propound their respective claims to said assets. This Complainant further prays that upon the payment into and the deposit of said assets with the Registery of this Honorable Court, that he be relieved and released from further or other liability or duty in the Premises, and that the Respondents or Claimants, and each of them be enjoined from making any further claim against Complainant by virtue of his appointment or actions as Administrator Ad Collegendum of the Estate of Cora H. Sadler, deceased. And Complainant further prays that he be allowed

his costs in this behalf expended and a reasonable Attorney's fee for the filing of this interpleader or bill in the nature thereof.

This Complainant further prays that if mistaken in the relief specifically herein prayed for, then he be granted such other, further, different and general relief to which he may be entitled in the premises. And your Complainant will ever pray.

Solicator for Complainant

STATE OF ALABAMA, BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: Whereas there is now pending in the Circuit Court of Baldwin County, Alabama, the administration of the Estate of James D. Sadler, being Cause No. 2281, on the Equity Docket of the said Circuit Court; and

WHEREAS there is pending in the Circuit Court of Baldwin County, Alabama, the administration of the Estate of Cora H. Sadler, the cause being No. 2336, on the Equity Docket of the said Circuit Court; and

WHEREAS there is pending in the Circuit Court of Bald-win County, Alabama, in equity, the case of J. E. Gooden as Administrator, ad colligendum of the Estate of Cora H. Sadler, deceased, vs. Clayton C. Baldwin, et al, being cause No. 2337; and

WHEREAS there is pending in the Circuit Court of Baldwin County, Alabama, in Equity, a petition on the part of Franklin Dudley Sadler, to be allowed to share in the assets of the Estate of James D. Sadler, deceased; and

WHEREAS Cora H. Sadler, deceased, left a Last Will and Testament wherein Jacob Hartley, Rena Pollard, and Hubert Hartley were named as devisees and legatees, which will was filed for probate and record in the Probate Court of Baldwin County, Alabama, after which it was contested by Franklin D. Sadler, and thereafter the said will contest was transferred to the law side of the Circuit Court of Baldwin County, Alabama, where it is now pending; and

WHEREAS Jacob Hartley, Hubert Hartley, Rena Pollard and Franklin D. Sadler, have reached a full and complete agreement as to a division and settlement of the assets of James D. Sadler, deceased, and Cora H. Sadler, which agreement is here reduced to writing:

NOW, THEREFORE, in consideration of the premises, and of the mutual benefits to be derived, the said Jacob Hartley,

Hubert Hartley, Rena Pollard and Franklin D. Sadler, do agree as follows:

- 1. Jacob Hartley, as Proponent of the will of Cora H. Sadler, deceased, will immediately withdraw his demand for a trial by jury of the said will contest. Franklin D. Sadler, as contestant, will immediately file his written consent that the said will be probated by the Circuit Court where the said will contest is now pending; that thereafter the said proceedings shall be transferred back to the Probate Court of Baldwin County, Alabama, as provided by Title 61, Section 63, of the 1940 Code of Alabama, and for the purposes stated therein. After the said will is recorded in the said Probate Court of Baldwin County, Alabama, Jacob Hartley as executor of and under the Last Will and Testament of the said Cora H. Sadler, will immediately file a petition in the said Probate Court to remove the administration of the said estate to the Circuit Court of Baldwin County, Alabama, sitting in Equity.
- 2. After the probate of said will the assets of the estate of Cora H. Sadler, which are now in the hands of the Administrator ad colligendum of the said estate, shall be paid out by him only on orders of the Judge of the Circuit Court of Baldwin County, Alabama, sitting in Equity.
- 3. The court costs, including a reasonable attorney's fee to be fixed by the Court to be paid to Messrs. Rickarby & Rickarby in the matter of the Estate of James D. Sadler, shall be paid out of funds of the Estate of Cora H. Sadler, deceased.
- 4. The court costs in the matter of the petition of Franklin D. Sadler, to share in the assets of the Estate of James D. Sadler, deceased, shall be paid out of funds in the Estate of Cora H. Sadler, deceased.
- 5. That the court costs in the matter of the Estate of Cora H. Sadler, other than the fees of Proponent's counsel and Executor's charges and fees, be paid out of funds in said estate.
- 6. The court costs in the matter of J. E. Gooden, as Administrator ad colligendum versus Clayton C. Baldwin, et al, shall

be paid out of the funds of the Estate of Cora H. Sadler, deceased, when final settlement is made by the said administrator.

- 7. Any balance, in cash, remaining in the Estate of Cora H. Sadler, deceased, shall be divided, and one-third thereof paid to Franklin D. Sadler, one-third to Kirby Wharton of Fairhope, Alabama, as Trustee for Rena Pollard, and one-third to Jacob Hartley, immediately after the said funds are paid out by the said special administrator ad colligendum.
- 8. All securities and real property belonging to the Estate of Cora H. Sadler, or the Estate of James D. Sadler, shall be placed upon the market for sale at the best price obtainable, and agreeable, to the said Jacob Hartley, Rena Pollard and Franklin D. Sadler, and if a private Sale cannot be affected, agreeable to said parties, that said properties immediately after May 1, 1950, shall be sold through a proper order and decree of the Circuit Court of Baldwin County, Alabama, in Equity, and the net proceeds thereof divided equally among Jacob Hartley, Rena Pollard and Franklin D. Sadler.
- 9. Rena Pollard, out of the money paid to her, will pay over to Franklin D. Sadler, Two Hundred Fifty Dollars (\$250.00) in cash, and to Jacob Hartley, Two Hundred Fifty Dollars (\$250.00), in cash, being refund of the money she had drawn from the Estate of Cora H. Sadler, deceased.
- 10. As Rena Pollard is of feeble health and unable to manage her affairs, all funds due her from the estate of Cora H. Sadler, shall be paid over to Kirby Wharton of Fairhope, Alabama, as Trustee, and shall be expended by him for her care and maintenance, and for payment to J. B. Blackburn for services rendered by him to the said Rena Pollard in connection with the causes referred to in this agreement. The said trustee may with the approval of J. B. Blackburn, Solicitor for Mrs. Pollard, Franklin D. Sadler, and Jacob Hartley, or a majority of them, make additional payments to meet emergencies, which may arise.

- ll. Jacob Hartley shall pay his attorney, Hubert M. Hall, the fee that they may agree upon, such fee to be paid out of personal funds of the said Jacob Hartley and not charged against either of the said estates.
- 12. Rena Pollard shall pay to her attorney, J. B. Blackburn, the fee that they may agree upon, such fee to be paid out of personal funds of the said Rena Pollard, or the fundsin the possession of the said Trustee, and not charged against either of the said estates.
- 13. Franklin D. Sadler shall pay to his attorneys, Rickarby & Rickarby, the fee that they may agree upon, such fee to be paid out of personal funds of the said Franklin D. Sadler, and not charged against either of the said estates.
- 14. If any funds to Mrs. Pollard's credit remain in the hands of Kirby Wharton, her Trustee, at her death, these, after payment of the expenses of her last illness and interment, and any balance due her counsel, J. B. Blackburn, they are to be divided equally between Franklin D. Sadler and Jacob Hartley, if living, or, if either be dead, the share of such decedent paid to his legal representative. If the said funds of Rena Pollard in the hands of the said Trustee are insufficient for her maintenance and support and for the expenses of her last illness and burial, these expenses shall be paid jointly by Jacob Hartley and Franklin D. Sadler.
- 15. That the counsel for the three interests here represented will jointly prepare a decree embodying the foregoing provisions and submit same to the Honorable Telfair J. Mashburn, Jr., Judge, for his approval and signature.
- 16. That the Equity Court retain control of this consolidated cause for such further orders and decrees as are requisite to carry out the spirit and purpose of this agreement.

IN WITNESS WHEREOF, the parties do hereto set their hands and seals in triplicate on this the 28 day of February, 1950.

Attorney for Jacob Hartley.

Attorney for Rena Pollard.

Attorney for Franklin D. Sadler.



Estate of Cora H. Sadler, Deceased.

agreement

Filed: March 7, 1950.

Juljan J. Maslibury gr