

ESTATE OF  
CAROLYN McMILLAN,  
A MINOR.

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

PETITION TO REMOVE DISABILITIES OF NON-AGE  
TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Petitioner, V. O. McMillan, 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. He is the father of Carolyn McMillan, a girl over twenty years of age.
2. Petitioner has been appointed, qualified and is now acting as Guardian of his said daughter, Carolyn McMillan.
3. The said minor, Carolyn McMillan, owns property in her own right. She is mature for her age, capable of handling her own affairs and it is to the best interest of the said minor that her disabilities of non-age be removed in the manner provided by Title 27, Section 13 et seq. of the 1940 Code of Alabama.

WHEREFORE, Petitioner prays that the Court will take jurisdiction of this Petition and appoint and set a day to hear it; that notice of the filing of this Petition and of the date set for hearing it be given to Carolyn McMillan by service of a copy of the said notice on her by a lawful officer of the State of Alabama in the manner provided by Title 27, Section 15 of the 1940 Code of Alabama; that on the date set for hearing the said Petition the Court will make and enter a proper order or decree relieving the said minor from all disabilities of non-age and vesting her with full power and authority to sue and be sued, contract and be contracted with in all respects as if she were twenty-one years of age. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

V. O. McMillan  
Petitioner.

Sworn to and subscribed before me on  
this the 14<sup>th</sup> day of September, 1949.

Mary Lou Blackburn  
Notary Public, Baldwin County, Alabama.

Received in Sheriff's Office  
this 14 day of Sept, 194  
TAYLOR WILKINS, Sheriff

NO 26 53  
PETITION TO REMOVE DISABILITIES  
OF NON-AGE.

ESTATE OF *Ex Parte*

CAROLYN McMILLAN, A MINOR.

Executed *Sept 14* 19 *44*  
by serving copy of within ~~Summons~~ and  
Complaint on

By *Carolyn McMILLAN*

*Taylor Wilkins* Sheriff  
By *J. N. F. D. P.* Deputy Sheriff

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

*Recorded*  
**FILED**  
SEP 14 1949  
ALICE J. DUCK, Register

EX PARTE

CAROLYN McMILLAN

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

TESTIMONY TAKEN IN OPEN COURT  
ON SEPTEMBER 17, 1949

APPEARED, for Carolyn McMillan

Hon. J. B. Blackburn, Attorney  
Bay Minette, Alabama

Mr. V. O. McMillan, after first having been duly sworn  
testified as follows:

ON DIRECT EXAMINATION

By Mr. Blackburn

Q. Is this Mr. V. O. McMillan?

A. Yes sir.

Q. Mr. McMillan, what relation are you to Miss Carolyn McMillan?

A. Father.

Q. What is her present age?

A. Twenty.

Q. Not yet twenty-one?

A. No.

Q. Are you acting as her guardian?

A. I am.

Q. Does she own some property or have some money belonging to her?

A. She has.

Q. Is she, in your opinion, capable of handling her own affairs?

A. Yes.

Q. I will ask you whether or not, in your opinion, it is to her best  
interest that her disabilities of non-age be removed?

A. Yes.

Q. By removing her disabilities of non-age you can go ahead and settle  
the guardianship and save expense?

A. Yes.

I hereby certify that the above and foregoing is a true and  
exact copy of the testimony as taken and transcribed by me on this date.

*Ora S. Nelson*  
Reporter

Original filed with Mrs. Duck .20¢  
Copy Hon. J. B. Blackburn 10¢  
Total 30¢

EX PARTE,  
CAROLYN MCMILLAN

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

DECREE REMOVING DISABILITIES OF NON-AGE

This cause coming on to be heard on this date is submitted for a Decree Removing the Disabilities of Non-Age of Carolyn McMillan, a minor over Twenty years of age, on the Petition filed in this cause on September 14, 1949, by V. O. McMillan, the father and guardian of the said minor, service of a copy of the Petition on the said minor, the Decree of this Court dated September 14, 1949, setting this cause for hearing and ordering the testimony of V. O. McMillan taken in open Court upon consideration of which the Court is of the opinion that it is to the best interest of the said minor that she be relieved of the disabilities of non-age, whereupon it is therefore Ordered, Adjudged and Decreed by the Court as follows:

1. The said minor, Carolyn McMillan, shall be and she is hereby relieved of and from all of the disabilities of non-age and invested with the right to contract, sue and be sued, to buy, sell and convey real property, and generally to do and perform all acts and deeds which she could lawfully do if she were twenty-one years of age.

2. A certified copy of this Decree shall be filed by the Register of this Court in the office of the Judge of Probate of Baldwin County, Alabama, for record therein, and the cost of such recording is hereby taxed as a part of the costs of this proceeding.

3. The costs of this proceeding are hereby taxed against the Petitioner, V. O. McMillan, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 17<sup>th</sup> day of September, 1949.

Jeffrey J. Mallory, Jr.  
Judge

EX PARTE

CAROLYN McMILLAN

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

TESTIMONY TAKEN IN OPEN COURT  
ON SEPTEMBER 17, 1949

APPEARED, for Carolyn McMillan

Hon. J. B. Blackburn, Attorney  
Bay Minette, Alabama

Mr. V. O. McMillan, after first having been duly sworn  
testified as follows:

ON DIRECT EXAMINATION

By Mr. Blackburn

Q. Is this Mr. V. O. McMillan?

A. Yes sir.

Q. Mr. McMillan, what relation are you to Miss Carolyn McMillan?

A. Father.

Q. What is her present age?

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Q. Not yet twenty-one?

A. No.

Q. Are you acting as her guardian?

A. I am.

Q. Does she own some property or have some money belonging to her?

A. She has.

Q. Is she, in your opinion, capable of handling her own affairs?

A. Yes.

Q. I will ask you whether or not, in your opinion, it is to her best  
interest that her disabilities of non-age be removed?

A. Yes.

Q. By removing her disabilities of non-age you can go ahead and settle  
the guardianship and save expense?

A. Yes.

I hereby certify that the above and foregoing is a true and  
exact copy of the testimony as taken and transcribed by me on this date.

Orsa S. Nelson  
Reporter

Original filed with Mrs. Duck	.20¢
Copy Hon. J. B. Blackburn	10¢
Total	30¢

ESTATE OF  
CAROLYN McMILLAN,  
A MINOR.

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

DECREE

This cause coming on to be heard on this date is submitted on the Petition of V. O. McMillan, father of the said minor, Carolyn McMillan, who is her Guardian, from which it appears that it is to the best interest of the said minor that her disabilities of non-age be removed. It further appears to the Court that a copy of the said Petition has been served on the said minor in the manner required by Title 27, Section 15 of the 1940 Code of Alabama and that the said Petitioner and the said minor desire that the matter be heard by the Court as soon as possible, upon consideration of all of which it is, therefore, Ordered, Adjudged and Decreed by the Court as follows:

1. This cause shall be and it is hereby set for hearing at 9.15 A.M. on the 17th day of September, 1949.

2. The testimony of the Petitioner, V. O. McMillan, ~~and of the said minor, Carolyn McMillan,~~ shall be taken in open Court and the testimony so taken shall be taken down by the Court Reporter, transcribed and filed in this cause in the manner provided by Equity Rule Number 56, as amended.

ORDERED, ADJUDGED AND DECREED on this the 14th day of September, 1949.

J. Fair J. Maslbury, Jr.  
Judge.

ESTATE OF  
CAROLYN McMILLAN,  
A MINOR.

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

DECREE

This cause coming on to be heard on this date is submitted on the Petition of V. O. McMillan, as Guardian of Carolyn McMillan, a minor, to remove the administration of the said estate or guardianship from the Probate Court of Baldwin County, Alabama to the Circuit Court of Baldwin County, Alabama, which Petition has been considered by the Court; WHEREUPON, it is, therefore, Ordered, Adjudged and Decreed by the Court as follows:

1. This said estate or guardianship 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, which shall transfer the file and all papers in connection with the said estate or guardianship to this Court.

ORDERED, ADJUDGED AND DECREED on this the 14<sup>th</sup> day of September, 1949.

Jeffrey J. Mashburn, Jr.  
Judge.

DECREE REMOVING ADMINISTRATION  
TO CIRCUIT COURT.

ESTATE OF  
CAROLYN McMILLAN, A MINOR.

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

RECORDED

Filed 9-14-49  
Alice J. Weirick  
Register



STATE OF ALABAMA  
BALDWIN COUNTY

I, Alice J. Duck, as Register of the Circuit Court of Baldwin County In Equity, do hereby certify that the above and foregoing instrument is a true and correct copy of a decree rendered by the said Court removing the disabilities of non-age of Carolyn McMillan dated September 17, 1949 as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Circuit Court on this the 20th day of September, 1949.

*Alice J. Duck*  
Register of Circuit Court of Baldwin County, Alabama, In Equity.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 9-20-49.....E.M.

Recorded *MAC*.....book 008 page 439-40

*W.R. Stunt*  
Judge of Probate 5

ESTATE OF  
CAROLYN McMILLAN,  
A MINOR.

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

DECREE ON FINAL SETTLEMENT

This cause coming on to be heard on this date is submitted for a decree finally settling this said estate on the Petition filed in this cause on this date by V. O. McMillan, as Guardian of Carolyn McMillan, from which it appears that the disabilities of non-age of the said minor have been removed; that all funds in the custody or under the control of the said Guardian have been paid to the said ward, Carolyn McMillan; that the Guardian has waived his commissions and that there is no need for continuing the said guardianship; WHEREUPON, it is, therefore, Ordered, Adjudged and Decreed by the Court as follows:

1. The said Guardian, V. O. McMillan, and the said ward, Carolyn McMillan, being the only persons interested in this estate and who have, by the Petition for Final Settlement filed in this cause, consented and agreed that it be settled by consent without notice, no notice of the said filing of the said Petition or the date set for hearing same is necessary.

2. This said estate or guardianship shall be and it is hereby fully and finally settled and V. O. McMillan, as Guardian of Carolyn McMillan, a minor, and the sureties on his bond, as such Guardian, shall be and they are hereby relieved of and discharged from all other and further liability because of the said administration.

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

ORDERED, ADJUDGED AND DECREED on this the 19<sup>th</sup> day of September, 1949.

Julius J. Marshall  
Judge.

ESTATE OF  
CAROLYN McMILLAN,  
A MINOR.

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

PETITION FOR FINAL SETTLEMENT

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

Your Petitioner, V. O. McMillan, 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. He has been appointed, qualified and is now acting as guardian of Carolyn McMillan, a minor, the administration of which said estate or guardianship has been, by a former decree of this Court, removed from the Probate Court of Baldwin County, Alabama to the Circuit Court of Baldwin County, Alabama, sitting in Equity, where it is now pending.

2. Since Petitioner's appointment as guardian as aforesaid, the disabilities of non-age of the said minor, Carolyn McMillan, have been removed.

3. Petitioner, as guardian as aforesaid, has collected the sum of Three Thousand Dollars (\$3,000.00) from the United States of America, which said amount is all of the property and assets of the said Carolyn McMillan. She has, by written receipt attached to and made a part of this Petition, acknowledged receipt of all of the said money which has been paid to her, as will appear from the said receipt; there is no further need for continuing this guardianship and it should now be finally settled.

4. Petitioner has not used any of the funds or other assets of the said estate or guardianship for his own benefit, either directly or indirectly, and he waives all commissions which may be due him for acting as such guardian.

5. Petitioner, as guardian as aforesaid, and the said Carolyn McMillan are the only persons interested in this estate.

WHEREFORE, Petitioner prays that the Court will, on presentation of this Petition, make and enter a proper decree fully and finally settling the said guardianship by consent without notice

and releasing Petitioner, as guardian as aforesaid, and the sureties on his bond from all other and further liability of every kind and nature because of the said guardianship. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

W.M. Miller

Petitioner.

Sworn to and subscribed before me on  
this the 19th day of September, 1949.

Mary Lou Blackburn

Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

I, Carolyn McMillan, do hereby acknowledge receipt of the sum of Three Thousand Dollars (\$3,000.00), which has been paid to me by V. O. McMillan, as Guardian, as described in the attached Petition for Final Settlement. In consideration of the said payment, I have and do hereby fully and completely release and discharge any and all claims which I have or may have against the said V. O. McMillan, as said Guardian, and the sureties on his bond and consent and agree that this estate be finally settled by consent without notice and I agree to pay all court costs incurred therein.

Dated on this the 19<sup>th</sup> day of September, 1949.

Carolyn McMillan

STATE OF ALABAMA

BALDWIN COUNTY

I, Mary Lou Blackburn, a Notary Public within and for said County in said State, hereby certify that Carolyn McMillan, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 19<sup>th</sup> day of September, 1949.

Mary Lou Blackburn

Notary Public, Baldwin County, Alabama.