

4461

IN ACCOUNT WITH

# BALDWIN COUNTY BANK

BAY MINETTE, ALABAMA

DOROTHY BLACKMON ADMN ESTATE OF VIRGIL BLACKMON  
% JAMES R. OWEN  
BAY MINETTE, ALA.

CHECKS	DEPOSITS	DATE	BALANCE
AMOUNT BROUGHT FORWARD			
	2,500.00+	DEC 22 '58	2,500.00 •
250.00 - <i>Dorothy B</i>		DEC 22 '58 1	2,250.00 •
28.00 - <i>NR Blackmon</i>		DEC 24 '58 2	2,222.00 •
<del>250.00 - <i>James R. Owen</i></del>		JAN 17 '59 3	1,972.00 •
176.70 - <i>✓</i>		MAR 13 '59 4	1,795.30 •
56.21 - <i>✓</i>		APR 18 '59 5	1,739.09 •



PLEASE EXAMINE THIS STATEMENT AT ONCE AND REPORT ANY ERROR.  
IF NO ERROR IS REPORTED IN TEN DAYS THE ACCOUNT WILL BE  
CONSIDERED CORRECT ALL ITEMS INCLUDING CHECKS ON US  
ARE CREDITED SUBJECT TO FINAL PAYMENT.

THE LAST AMOUNT IN THIS  
COLUMN IS YOUR BALANCE

ESTATE OF  
VIRGIL BLACKMON,  
Deceased.


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

NOTICE OF FINAL SETTLEMENT:

This day came Dorothy Blackmon, the administratrix of said estate and files her account, vouchers, evidence and statement for a final settlement of said administration.

It is ORDERED that the 25<sup>th</sup> day of June, 1959, be and the same hereby is appointed as a date and time on which to make such settlement, at which time all persons interested may appear and contest the settlement, if they think proper.

WITNESS my hand on this the 21<sup>st</sup> day of May, 1959.

  
Register.

JAMES R. OWEN,  
Attorney for Administratrix.

ESTATE OF ) IN THE CIRCUIT COURT OF  
VIRGIL BLACKMON, ) BALDWIN COUNTY, ALABAMA  
Deceased. ) IN EQUITY.

PETITION FOR FINAL SETTLEMENT:

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

Your Petitioner, Dorothy Blackmon, who is over twenty-one years of age respectfully represents and shows unto this Court and your Honor as follows:

1. Petitioner was heretofore, on to-wit, November 17, 1958, qualified and appointed as Administratrix of the Estate of Virgil Blackmon, Deceased, at which time Letters of Administration were issued to Petitioner.

2. More than six months have expired since Letters of Administration were issued to Petitioner; all claims filed against said estate have been paid in full and there is no need for continuing said administration and said estate should now be fully and finally settled.

3. Your Petitioner has received and expended the sums of money shown on Exhibit "A" attached hereto and has the balance as shown on said Exhibit "A" on deposit to her account as Administratrix of said Estate in the Baldwin County Bank, Bay Minette, Alabama.

WHEREFORE, Petitioner prays that the Court will take jurisdiction of this petition and will set a date for a hearing hereof, appoint a guardian ad litem to represent the minors interested in this proceeding, fix an amount to be paid by your Petitioner to her Attorney for his services rendered in this estate, and will give notice of the filing hereof as required by law and that upon a final hearing that the Court will make and enter a decree fully and finally settling this estate and discharging your Petitioner as Administratrix of this estate and discharging the sureties on her bond as said Administratrix. Petitioner further

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

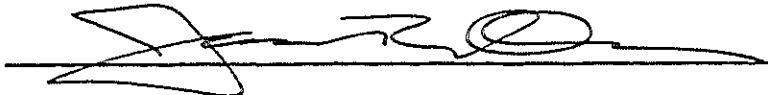
x Dorothy Blackmon  
Petitioner.

STATE OF ALABAMA     )  
                              \*  
BALDWIN COUNTY        )

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

x Dorothy Blackmon

Sworn to and subscribed before  
me on this the 18<sup>th</sup> day of  
May, 1959.



Notary Public, Baldwin County, Alabama.

EXHIBIT "A"

ESTATE OF	I	IN THE CIRCUIT COURT OF
VIRGIL BLACKMON,	I	BALDWIN COUNTY, ALABAMA
Deceased,	I	IN EQUITY.

RECEIPTS:

Sale of personal property-----	\$2500.00
Total Receipts-----	\$2500.00

DISBURSEMENTS:

12/22/58, Dorothy Blackmon, maintenance & support of minor children-----	\$ 250.00
12/24/58, W. R. Stuart, Probate Judge, Court costs---	28.00
1/17/59, Dorothy Blackmon, maintenance & support of minor children-----	250.00
1/26/59, Director of Internal Revenue, income tax----	176.70
4/10/59, Director of Internal Revenue, income tax----	56.21
Total Disbursements-----	\$ 760.91

RECAPITULATION:

Total Receipts-----	\$2500.00
Total Disbursements-----	760.91
Balance on Deposit-----	\$1739.09

*Filed 5-21-59*  
*Alice J. Luck,*  
*Register*

7 recd  
5-21-59  
Avinger-Rueck  
Rueck

ESTATE OF  
VIRGIL BLACKMON,  
Deceased.

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

DECREE SETTING DAY FOR FINAL SETTLEMENT:

This day came Dorothy Blackmon, as Administratrix of the estate of Virgil Blackmon, deceased, and filed her petition, accounts, and vouchers for a final settlement of her administration of said estate, it is therefore ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the 23<sup>rd</sup> day of June, 1959, be appointed as the date to hear said petition and that notice be given by publication once a week for three successive weeks in the Baldwin Times, a newspaper of general circulation published in said state and county, of said settlement.

2. That Kenneth Cooper, an Attorney at Law, who is neither of counsel nor kin to the administratrix, nor in any way interested in said proceedings, and who does not represent any party having an adverse interest to that of the minors interest in this estate, be and he is hereby appointed to represent Virgil Ray Blackmon, Wanda Blackmon and Margaret Blackmon, the minors in said proceeding.

ORDERED, ADJUDGED AND DECREE on this the 21<sup>st</sup> day of May, 1959.

Hubert M. Lee

Judge.

4761

recre

Field 572157  
Kingman  
Clerk

M



## APPLICATION FOR LETTERS OF ADMINISTRATION

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

Your Petitioner, Dorothy Blackmon, who is over eighteen years of age and a resident of Baldwin County, Alabama, respectfully represents and shows unto the Court and your Honor as follows:

1. That Virgil Blackmon, a resident of Baldwin County, Alabama, died intestate in Baldwin County, Alabama, on to-wit, the 30th day of September, 1958, leaving personal property in the value of \$2500.00 and not probably more, and leaving no real property.

2. The heirs and distributees of said estate and their places of residence are as follows:

Dorothy Blackmon, your petitioner, his widow;  
Virgil Ray Blackmon, a son, four years of age;  
Wanda Blackmon, a daughter, two years of age;  
Margaret Blackmon, a daughter, thirteen months of age;

That all of said heirs reside with your Petitioner in Stockton, Alabama.

The premises considered, Petitioner prays that Letters of Administration upon the estate be granted to her by this Honorable Court upon her entering into bond with surety in such amount as may be prescribed by your Honor.

Dorothy Blackmon  
Petitioner.

Sworn to and subscribed before  
me on this the 15<sup>th</sup> day of  
November, 1958.

W. R. Stuart  
Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA, BALDWIN COUNTY  
Filed Nov. 17, 1958 M  
Recorded Prob & Min. book 17 page 401  
W. R. Stuart  
Judge of Probate HP

ESTATE OF ) IN THE PROBATE COURT OF  
 VIRGIL BLACKMON, ) BALDWIN COUNTY, ALABAMA  
 Deceased. )

STATE OF ALABAMA )  
 \*  
 BALDWIN COUNTY )

KNOW ALL MEN BY THESE PRESENTS: That we, Dorothy Blackmon, as Principal and Fidelity & Deposit Company of Maryland, a corporation, as Surety, are held and firmly bound unto W. R. Stuart, Probate Judge of Baldwin County, Alabama, and to his successors in office in the penal sum of Five Thousand Dollars (\$5,000.00), for which payment well and truly to be made the Principal binds herself, her heirs, executors and administrators and the Surety binds itself, its successors and assigns, jointly and severally, by these presents.

The condition of the above obligation is such that, Whereas, on the 17<sup>th</sup> day of November, 1958, the Probate Court of Baldwin County, Alabama, did grant unto the above bounden Dorothy Blackmon, Letters of Administration upon the estate of Virgil Blackmon;

NOW, THEREFORE, if the said Dorothy Blackmon shall perform all of the duties which are or may be required of her as such Administratrix, then this obligation to be void; otherwise, to be and remain in full force and effect.

IN WITNESS WHEREOF, Dorothy Blackmon has hereunto set her hand and affixed her seal, and Fidelity & Deposit Company of Maryland, a corporation, has caused its corporate seal to be hereto affixed and this instrument to be executed by Walter M. Lindsey, as its Attorney in Fact, on this the 17<sup>th</sup> day of November, 1958.

Dorothy Blackmon (SEAL)

FIDELITY & DEPOSIT COMPANY OF MARYLAND,  
 a corporation, (SEAL)

By Walter M. Lindsey  
 As its Attorney in Fact.

Taken & approved on this  
 the 17<sup>th</sup> day of Nov.  
 1958.

W. R. Stuart

Probate Judge.

STATE OF ALABAMA, BALDWIN COUNTY  
 Filed Nov. 17, 1958 M  
 Recorded Prob + Min book 17 page 402  
W. R. Stuart  
 Judge of Probate HS

## STATE OF ALABAMA

## IN THE PROBATE COURT

Baldwin COUNTY

November 17 1958.

Present, the Honorable W. R. Stuart, Judge of Probate.

In the Matter of the Estate of Virgil Blackmon, deceased.

And now, on this day comes Dorothy Blackmon and presents to the Court her petition in writing and under oath, praying that letters of administration on the estate of Virgil Blackmon, deceased,

issue to her, which petition is examined by the Court; it is therefore ordered that said petition

be filed and set for hearing on the 17th day of November, 1958; and it appearing to the satisfaction of the Court from the allegations contained in said petition and from other good and suf-

ficient evidence that the said Virgil Blackmon departed this life on or

about the 30th day of September, 1958, being at the time of his death

an inhabitant of Baldwin County, Alabama; that he died leaving assets in

said County, which assets both real and personal are estimated to be worth about

Twenty-Five Hundred Dollars, but leaving

no will, testament or other writing relative to the disposal or distribution of his estate and that the death

of said decedent was known more than five days before this day; and now also ~~of the said~~

intestate, having relinquished ~~right under the statute to administer said estate;~~ and it further ap-

pearing to the satisfaction of the Court that Dorothy Blackmon,

the said petitioner, is the Widow of the said decedent, is over twenty-one years of age, and inhab-

itant of this State, and a fit person under the law and in the estimation of the Court to serve as administratrix

and no person having appeared to oppose the granting of letters of administration

to the said Dorothy Blackmon or to show cause why the prayer of said petitioner should not be granted; it is ordered by the Court that the prayer for letters of administration

be granted and that petitioner shall make and file bond in the penal sum of

Five Thousand

Dollars, conditioned and

payable according to the statute in such cases made and provided, with such surety or sureties as may be approved by the Court; letters of administration shall not issue until said bond is approved and filed; it is further ordered that said petition be recorded.

And now again comes Dorothy Blackmon

and presents to

the Court for approval her bond in the form as by this Court heretofore required with

Fidelity and Deposit Company of Maryland

as surety thereon,

and the Court being sufficiently advised concerning said bond and said surety, it is ordered and adjudged by the Court that said bond be taken, approved and recorded.

It is therefore ordered, adjudged and decreed by the Court that letters of administration

on the estate of said deceased be granted to the said Dorothy Blackmon

and she be and she

hereby is authorized to administer said estate; it is further ordered that the said

Dorothy Blackmon

proceed immediately to collect and take into his

possession all of the goods, chattels, money, books, papers and evidence of debt of said deceased, except the personal property specifically exempted from administration under Code 1940, Title 7, Section 664, and make due return under oath to this Court of a full inventory thereof within two months.

W. R. Stuart Probate Judge

Form 1008-3 (Rev. Jan. 1956) LETTERS OF ADMINISTRATION (Code 1940, Tit. 61, Sec. 82)

Printed and for Sale by Roberts &amp; Son, Birmingham

## THE STATE OF ALABAMA

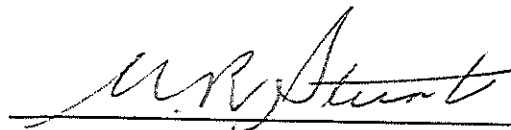
Baldwin

County

## COURT OF PROBATE

Letters of Administration on the estate of Virgil Blackmon, deceased,are hereby granted to Dorothy Blackmon, who has duly qualified

and given bond as such administrator, and is authorized to administer such estate.

Witness my hand, and dated this 17th day of November, 19 58.

Judge of Probate

ESTATE OF  
VIREIL BLACKMON

DECEASED

PROBATE COURT

Letters of Administration upon the Estate

of said deceased having been granted to the undersigned on the 17th day of

November 1958, by the Hon. W. R. Stuart

Judge of the Probate Court of Baldwin County, notice is hereby given that all persons having claims against said estate are hereby required to present the same within time allowed by law or the same will be barred.

JAMES R. OWEN,  
Attorney.

Dorothy Blackmon,  
Administratrix of said Estate.

To \_\_\_\_\_

Publisher of \_\_\_\_\_

Please publish the above notice three successive weeks in said newspaper.

Mailed Times 12-1-58. HD

ESTATE OF

VIRGIL BLACKMON,  
Deceased.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

#### DECREE ON FINAL SETTLEMENT

This cause coming on to be heard on this date is submitted for a decree on final settlement upon the petition heretofore filed by Dorothy Blackmon, as Administratrix of said estate from which it appears that she was on to-wit, November 17, 1958, qualified and appointed as Administratrix of the Estate of Virgil Blackmon, Deceased; that more than six months have expired since Letters of Administration were issued to her; that all claims against the said estate have been paid in full and that there is no need for continuing said administration, and that the said estate should now be fully and finally settled. It appears to the court that due notice of the time and nature of this settlement has been given by publication for three successive weeks in the Baldwin Times, a newspaper published in Baldwin County, Alabama, and the Honorable Kenneth Cooper, who was heretofore appointed to act as guardian ad litem for and to represent and protect the interest of Virgil Ray Blackmon, Wanda Blackmon and Margaret Blackmon, the only minors interested in this proceeding and settlement, was present in open court and consented in writing to act and contested said settlement, upon consideration of all of which the court is of the opinion and finds as follows:

1. That the Administratrix of this estate, Dorothy Blackmon, has received and expended the sums of money as shown on Exhibit "A" attached to the petition for final settlement in this cause.

2. That after deducting court costs and attorney's fees in connection with the administration of this estate, the distributive share of each of the heirs of said decedent will be as follows:

Dorothy Blackmon, \$463.63;  
Virgil Ray Blackmon, \$463.64;  
Wanda Blackmon, \$463.64;  
Margaret Blackmon, \$463.64;

That the said Dorothy Blackmon has previously received \$500.00 to

apply on her distributive share which is \$36.38 more than she is entitled to receive.

It is therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That an attorney's fee of \$300.00 be paid by Dorothy Blackmon, as Administratrix of this estate to James R. Owen, as her Solicitor of record for his services rendered and to be rendered in this cause. That the court costs in this cause amounting to \$84.55 be paid by Dorothy Blackmon, as Administratrix, to Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama.

2. That the said Dorothy Blackmon pay to herself, as Administratrix of this estate, the sum of \$36.38 to be deposited in her name as such Administratrix. That after the deposit of the said amount to her account as said Administratrix that the balance be distributed as follows:

Virgil Ray Blackmon, \$463.64;  
Wanda Blackmon, \$463.64;  
Margaret Blackmon, \$463.64.

The amount so distributed shall be paid by the said Administratrix to the Register of the Circuit Court of Baldwin County, Alabama, to be paid by her into the fiduciary fund of Baldwin County, Alabama, to be held therein for said minors.

3. Upon the payment of all of the amounts set forth above, this case shall be fully and finally settled.

ORDERED, ADJUDGED AND DECREED on this the 25 day of June, 1959.

Z. Hubert M. Jones

Judge.

ESTATE OF

VIRGIL BLACKMON,  
Deceased.

1

1

1

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

NOTICE OF APPOINTMENT, ACCEPTANCE AND ANSWER OF  
GUARDIAN AD LITEM

TO: Wilson Hayes, ESQUIRE, BAY MINETTE, ALABAMA:

You are hereby notified that, by decree of this Court heretofore rendered in this cause, you have been appointed as guardian ad litem to represent Virgil Ray Blackmon, Wanda Blackmon, and Margaret Blackmon, minors, to protect their interest in connection with a petition which was filed in this cause on December 17, 1958, and which has been set for hearing at 9:30 o'clock A. M. on December 22, 1958.

DATED this 17 day of December, 1958.

Alice J. Luck  
Register of the Circuit Court of Baldwin  
County, Alabama.

\*\*\*\*\*

STATE OF ALABAMA    )  
                              \*  
BALDWIN COUNTY        )

I, the undersigned, do hereby accept appointment as guardian ad litem for Virgil Ray Blackmon, Wanda Blackmon and Margaret Blackmon, minors, who are interested in this proceeding, and for answer to the petition filed in this cause on December 17 1958, I deny each and all of the allegations of the said petition and demand strict proof of same.

DATED this 17 day of December, 1958.

*Filed 12-17-58*  
*Alice J. Luck,*  
*Register*

Wilson Hayes  
As guardian ad litem for Virgil Ray  
Blackmon, Wanda Blackmon and Margaret  
Blackmon, minors.



ESTATE OF

VIRGIL BLACKMON,  
Deceased.

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

ORDER SETTING DAY TO HEAR PETITION:

This cause coming on to be heard on this date is submitted on the verified petition of Dorothy Blackmon, as Administratrix of the Estate of Virgil Blackmon, Deceased; upon consideration of which, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The said petition shall be, and it is hereby set for hearing at 9:30 A. M. on the 22 day of December, 1958, at the Courthouse in Bay Minette, Alabama.

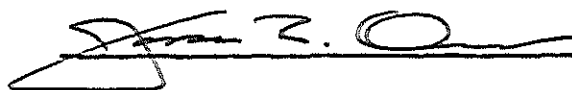
2. Nelson Hayes, an Attorney at Law and Solicitor in Chancery, practicing in Baldwin County, Alabama, and who is, in all respects, a fit and proper person to be appointed as guardian ad litem to represent the said minor heirs of the decedent, to-wit: Virgil Ray Blackmon, Wanda Blackmon and Margaret Blackmon, shall be and he is hereby appointed as guardian ad litem to represent the said minors and to protect their interest in the said proceeding. Notice of the said appointment shall be given to the said guardian ad litem but no other notice of the filing of the said petition or of the date set for hearing the same shall be given to the said minors.

ORDERED, ADJUDGED AND DECREED on this the 17 day of December, 1958.

Hubert McCall  
Judge.

ESTATE OF ) IN THE CIRCUIT COURT OF  
VIRGIL BLACKMON, ) BALDWIN COUNTY, ALABAMA  
Deceased. ) IN EQUITY.

Now comes Dorothy Blackmon, as Administratrix of the Estate of Virgil Blackmon, Deceased, and moves the Court to take the testimony of the witnesses in this cause in open court as provided by Equity Rule Number 56, as amended.

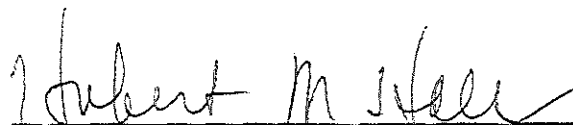
  
Solicitor for Dorothy Blackmon, as  
Administratrix of the Estate of Virgil  
Blackmon, Deceased.

\*\*\*\*\*

ORDER:

The above motion having been presented to the Court on this date it is hereby ORDERED, ADJUDGED AND DECREED that the testimony in this cause be taken in open Court as provided by Equity Rule Number 56, as amended.

ORDERED, ADJUDGED AND DECREED on this the 22nd day of December, 1958.

  
Judge.

23

1950

1950

1950

1950

1950

1950

1950

1950

1950

received

1950

1950

1950

1950

1950

1950

1950

FILED  
DEC 22 1950  
ALICE L. DUCK, CLERK  
REGISTER

ESTATE OF	)	IN THE CIRCUIT COURT OF
VIRGIL BLACKMON,	)	BALDWIN COUNTY, ALABAMA
Deceased.	)	IN EQUITY.

DECREE:

This cause coming on to be heard on this date is submitted for a final decree on the original, verified petition of Dorothy Blackmon, as Administratrix of the Estate of Virgil Blackmon, Deceased; the decree heretofore rendered in this cause setting this cause for hearing at 9:30 o'clock A. M. on December 22, 1958, and appointing a guardian ad litem to represent the minor heirs of the said decedent, to-wit: Virgil Ray Blackmon, Wanda Blackmon and Margaret Blackmon, without service on them; notice of appointment, acceptance and answer of guardian ad litem; Petitioner's written request that the testimony of the witnesses for petitioner be taken in open court as provided by Equity Rule #56, as amended; and the testimony of Dorothy Blackmon, James Blackmon, W. B. McDowell, Jay Powell and Billy Stewart, witnesses for the petitioner; upon consideration of all of which, it appears to the Court that the petitioner, as said Administratrix, is entitled to the relief prayed for in her said petition; whereupon, it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. The property described in the petition heretofore filed in this cause is of a highly depreciable value and requires constant maintenance to keep it in condition to be used for the purpose for which it was intended; that it is to the best interest of all concerned in this estate that the prayer of the said petition be granted; that Dorothy Blackmon, as Administratrix of the Estate of Virgil Blackmon, Deceased, shall be and she is hereby fully and completely authorized, empowered and instructed to make, execute and deliver a Bill of Sale to James Blackmon describing the personal property described in the petition heretofore filed in this cause, a copy of which has been exhibited to the court.

2. The said Bill of Sale shall convey all right, title and interest of Dorothy Blackmon and the minor heirs of the said decedent.

3. The said Dorothy Blackmon is hereby authorized, instructed and empowered to deliver the said Bill of Sale described above to the said James Blackmon upon payment by him to her of the sum of \$2500.00, and shall report her actions in the said matter to this court.

4. The sum of \$ 20<sup>00</sup>, shall be and it is hereby fixed as a reasonable fee to be paid to Wilson Hayes, guardian ad litem of the said minors in this proceeding, which fee shall be paid as a part of the costs of this proceeding.

5. The costs of this proceeding are hereby taxed against petitioner, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 22nd day of December, 1958.

Julius M. Steel

Judge.

FILED  
DEC 22 1953  
ALICE J. DUKY, CLERK  
REGISTER

[illegible]

22



ESTATE OF

VIRGIL BLACKMON,

Deceased.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA. IN

EQUITY.

December 22, 1958

DOROTHY BLACKMON, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Owen.

Q. You are Mrs. Dorothy Blackmon?

A. Yes sir.

Q. You are the administratrix of the estate of Virgil Blackmon, deceased, are you not?

A. I am.

Q. At the time of his death did Virgil Blackmon own the personal property that is described in this petition, which you filed in this cause?

A. Yes sir.

Q. I will ask you if James Blackmon has offered you \$2500.00 for the personal property that is described in this petition?

A. Yes, sir.

Q. Mrs. Blackmon, in your opinion, would it be to the best interest of the estate of Virgil Blackmon and all persons interested in the estate that this property be sold to James Blackmon for \$2500.00?

A. Yes sir.

Q. In your opinion, is that a reasonable value for the property?

A. Yes.

Q. Are you in position to use this equipment in any way to make it profitable to the estate?

A. I don't think so.

Q. Do you think that you could take it and rent it out and use it so that it would be of more value to the estate than it would be to sell it for \$2500.00?

A. No.

ON CROSS EXAMINATION OF THIS WITNESS, SHE TESTIFIED:

Examination by Mr. Hayes, guardian ad litem.

Q. You are the widow of Virgil McMillan?

A. Yes sir.

Q. And you all have two small children?

A. Three.

Q. How old is the oldest one?

A. Five last week.

Q. You have to stay at home and keep the children?

A. Yes sir.

Q. Therefore you are unable to work?

A. Yes sir.

Q. And you don't have any other means to dispose or use this property other than to sell it to Mr. Blackmon?

A. That is right.

JAMES BLACKMON, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Owen.

Q. You are James Blackmon?

A. Right.

Q. And you have offered Mrs. Dorothy Blackmon as administratrix of the estate of Virgil Blackmon \$2500.00 for the personal property described in this petition, have you not?

A. Yes sir.

Q. You were a brother of Virgil Blackmon, were you not?

A. That is right.

Q. You are familiar with the property that is described in this petition?

A. Yes sir.

Q. And have known it for sometime, have you not?

A. Yes sir.

Q. And in your opinion is \$2500.00 a reasonable price, or the reasonable market value of this property?

A. That is right, between \$2,000.00 and \$2500.00 in my opinion is the reasonable market price.



CROSS EXAMINATION BY GUARDIAN AD LITEM

Examination by Mr. Hayes.

Q. You have bought and sold property of the same sort as is listed on this petition, and have been around where property of this description has been bought and sold, have you not?

A. yes.

Q. All of this equipment is second hand equipment?

A. Yes sir.

Q. And do you think \$2500.00 is the fair market value of the equipment listed?

A. Yes sir.

MR. W. D. McDOWELL, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Owen.

Q. You are W. D. McDowell?

A. Yes sir.

Q. Where do you live?

A. Raybon

Q. I believe you worked with James Blackmon some in the pump business?

A. Virgil--

Q. I mean Virgil Blackmon?

A. Yes sir.

Q. And you are familiar with the property described in the petition, are you not?

A. Yes sir.

Q. In your opinion what is the reasonable value of that property?

A. Well I believe a fair price would be from \$2,000.00 to \$2500.00.

NO CROSS EXAMINATION.

JAY POWELL, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Owen.

Q. Are you Jay Powell?

A. Yes sir.

Q. Mr. Powell are you familiar with the property that is described

in this petition?

A. Well I have seen most of it, I'm pretty sure.

Q. Do you work with James, or did you work with Virgil Blackmon in the pump business?

A. No sir.

Q. You just live there and have seen the property?

A. Yes sir.

Q. Have you bought and sold some trucks and tools and equipment similiar to this property described in the petition?

A. No pump equipment, but I have handled second hand trucks before.

Q. In your opinion, what is the reasonable value of the property described in this petition?

A. I think \$2500.00 is a good price for it.

CROSS EXAMINATION BY THE GUARDIAN AD LITEM.

Examination by Mr. Hayes.

Q. Mr. Powell, are you related to any of the parties involved in this proceeding?

A. No sir.

Q. Are you a neighbor?

A. Not to say a neighbor; I live closer to her folks than I did to him.

Q. Have you been around where tools and trucks of this sort have been sold for the last two years?

A. A little.

Q/ Where?

A. I know when Virgil bought this same equipment.

BILLY STEWART, BEING FIRST DULY SWORN, TESTIFIED:

Q. Are you Billy Stewart?

A. Yes sir.

Q. How old are you?

A. 18.

Q. Billy, are you familiar with the property involved in this suit?

A. Yes sir.

Q. Are you familiar generally with prices of this equipment in Baldwin County?

A. Well, yes We have been around a good bit of it.

Q. You have worked with them some?

A. Yes sir.

Q. In your opinion, what is the reasonable value of this property?

A. Well I guess about \$2,000.00 to \$2,500.00.

CROSS EXAMINATION BY THE GUARDIAN AD LITEM.

Examination by Mr. Hayes.

Q. What is the condition of these two trucks?

A. Well they are fair, I guess right now, but I wouldn't say any more ---They'll run.

Q. How long did Virgil have them? Do you remember when he first got them?

A. Yes sir, I went with him when he got them, but off hand I don't know when he got them.

Q. About how long has he had the army surplus truck with the drill rig on it?

A. Well he had it --

Q. Approximately?--More than a year?

A. Yes, less than a year I think.

Q. He has had the studebaker truck for a year or more?

A. No sir.

Q. How about the Ford Truck?

A. He had it before the got the rig; he got the water truck after he got the rig.

EXAMINATION BY THE COURT:

Q. The price goes down on equipment of this sort mighty fast does it not?

A. Oh yes.

C E R T I F I C A T E:

I hereby certify that the foregoing, containing pages 1 to 5, both inclusive, correctly sets forth a true and correct transcript of the testimony taken by me in open court, in the above styled cause, on December 22, 1958.

This 22nd day of December, 1958.

Louise D. [Signature]  
Official Court Reporter

ESTATE OF

VIRGIL BLACKMON,  
Deceased.

! ! !

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

PETITION TO REMOVE ESTATE FROM PROBATE COURT TO EQUITY COURT:

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

Your Petitioner, Dorothy Blackmon, who has been appointed, qualified and who is now acting as Administratrix of the Estate of Virgil Blackmon, Deceased, which matter is now pending in the Probate Court of Baldwin County, Alabama, alleges that it is to the best interest of said estate that it be transferred to the Circuit Court of Baldwin County, Alabama, in Equity, because of the broader powers of said Court;

WHEREFORE, Petitioner prays that the said estate be removed from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, in Equity. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

x Dorothy Blackmon

Sworn to and subscribed before  
me on this the 16<sup>th</sup> day of  
December, 1958.

[Signature]  
Notary Public, Baldwin County, Ala.

STATE OF ALABAMA

BALDWIN COUNTY

The foregoing petition having been presented to me on this date, it is therefore, ORDERED, ADJUDGED AND DECREED that the Estate of Virgil Blackmon, Deceased, be removed from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, in Equity.

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 17 day of December, 1958.

  
\_\_\_\_\_  
Judge.

Bay Minette, Ala., 12/30/58

19

Est. Vigil Blackmon, Dec'd.

IN ACCOUNT WITH

W. R. STUART

**JUDGE OF PROBATE, BALDWIN COUNTY**

**PLEASE RETURN BILL WITH REMITTANCE**

Recording	from	to	Privilege Tax	Rec. Fee	Total
-----------	------	----	---------------	----------	-------

Probate Court Costs -

\$ 1125

FROM A. C. Jacobson, Contractor

Route 2, Bay Minette, Ala.

TO Estate of Virgil Blackmon 9 June 19 59

ADDRESS Bay Minette, Ala. ORDER NO. \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ TERMS \_\_\_\_\_

20 June 58

One table saw ( 6" Craft )

75 00

The above is past due and has not been paid

State of Alabama:

County of Baldwin:

Sworn and subscribed to before me this

the

9

day of

June 1956

1956

NOTARY PUBLIC

MY COMMISSION AS A NOTARY PUBLIC

EXPIRES 30 OF Jan 1960.





FROM A. C. Jacobson, Contractor

Route 2, Bay Minette, Ala.

TO Estate of Virgil Blackmon 9 June 19 59

ADDRESS Bay Minette, Ala. ORDER NO. \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ TERMS \_\_\_\_\_

20 June 58

One table saw ( 6" Craft )

75 00

The above is past due and has not been paid

State of Alabama:

County of Baldwin:

Sworn and subscribed to before me this

the 9 day of June 1960

NOTARY PUBLIC

MY COMMISSION AS A NOTARY PUBLIC  
EXPIRES 30 OF Jan 1960.



**FILED**

**JUN 19 1959**

**ALICE J. DUCK, CLERK  
REGISTER**

FROM A. C. Jacobson, Contractor

Roure 2, Bay Minette, Ala.

TO Estate of Virgil Blackmon 9 June 19 59

ADDRESS Bay Minette, Ala. ORDER NO. \_\_\_\_\_

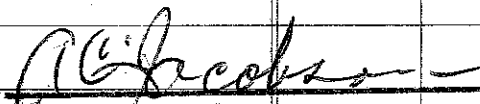
CITY \_\_\_\_\_ STATE \_\_\_\_\_ TERMS \_\_\_\_\_

20 June 58

One table saw ( 6" Craft )

75 00

The above is past due and has not been paid

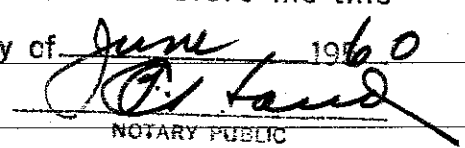
  
A. C. Jacobson

State of Alabama:

County of Baldwin:

Sworn and subscribed to before me this

the 9 day of June 1960

  
NOTARY PUBLIC

MY COMMISSION AS A NOTARY PUBLIC

EXPIRES 30 Jan 1960



# THE BALDWIN TIMES

JIMMY FAULKNER  
PUBLISHER

*Alabama's Best County's Best Newspaper*

BAY MINETTE, ALABAMA

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA.  
BALDWIN COUNTY.

E. R. Morrisette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Estate of Virgil Blackmon

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

Estate of  
VIRGIL BLACKMON,  
Deceased.

NOTICE OF FINAL SETTLEMENT.

This day came before this Court, the  
Administratrix of said estate, and files  
her account, vouchers, evidence, and  
statements for a final settlement of said  
administration.

It is ORDERED that the 23rd day of  
June, 1959, be and the same hereby  
is appointed as a date and time on  
which to make such settlement, at which  
time all persons interested may appear  
and contest the settlement, if they think  
proper.

WITNESS my hand on this the 21st  
day of May, 1959.

/s/ ALICE J. DUCK,  
Register.

JAMES R. OWEN,  
Attorney for Administratrix. 20-3tc

### COST STATEMENT

114 WORDS @ 5 cents ..... \$ 5.70  
I hereby certify this is correct, due and unpaid (paid).~

E. R. Morrisette  
Editor.

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

Date of 1st publication May 28, 1959 Vol. 71 No. 20

Date of 2nd publication June 4, 1959 Vol. 71 No. 21

Date of 3rd publication June 11, 1959 Vol. 71 No. 22

Date of 4th publication \_\_\_\_\_, 195\_\_\_\_ Vol. \_\_\_\_\_ No. \_\_\_\_\_

Subscribed and sworn before the undersigned this 11 day of June, 1959.

Barney Martin  
Notary Public, Baldwin County.

E. R. Morrisette  
Editor.

1

FILED

JUN 18 1959

MADE J. DUCK, CLERK  
REGISTER