

4636

8851—NOTE OF TESTIMONY

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

ESTATE OF PAMELA FRAMPTON, a minor

vs.

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,  
petition and accounting, resignation, appointment of guardian ad  
litem and answer, testimony of guardian and Exhibits A & B.

and in behalf of Defendant upon

*Clifford B. Thompson*  
Attorney for guardian

*Phyllis S. Nesbit*  
Guardian ad litem

*Alvin J. Black*  
Register.

B-9 - p. 78-A

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

---

---

**State of Alabama**

Baldwin County

---

---

**IN EQUITY**

Circuit Court of Baldwin County

---

---

VS.

---

---

---

---

---

---

**Note of Testimony**

---

---

Filed in Open Court this \_\_\_\_\_

day of \_\_\_\_\_, 19\_\_\_\_

---

Register.

---

MOORE PRINTING COMPANY - DAY MINETTE, ALA.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: HAZEL WEEKLEY

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine

Mr. P. E. RODGERS

MR. ARTHUR T. FRAMPTON

MRS. EVELYN FRAMPTON DRISKELL

a witness in behalf of the Estate of Pamela Frampton in a cause pending in our  
Circuit Court in Baldwin County, of said State, wherein

and THE ESTATE OF PAMELA FRAMPTON, Complainant

Respondent

on oath, to be by you administered, upon the said witnesses  
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 24 day of

July

, 1959

Archie J. Weekley  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

IN RE THE ESTATE OF  
PAMELA FRAMPTON, MINOR

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

In this cause it appearing to the Court by affidavit of C. LeWoir Thompson, one of the Attorneys for the Petitioner, that Pamela Frampton is a minor under the age of fourteen years, and a non-resident of the State of Alabama residing with her mother Ferne F. Cowles, Rt. 6, Box 506, Anderson, Indiana, and that she has no adult next of kin resident in the state, and that by reason of the facts aforesaid the Court is of the opinion that a guardian ad litem should be appointed to represent the interest of the said Pamela Frampton in this cause without service of process on the said Pamela Frampton. It further appearing that Floyd G. Swearingen, has filed his consent in writing to act as guardian ad litem for the said minor, and he being a fit and suitable person to act as guardian ad litem for and represent the interest of the said Pamela Frampton in this proceeding, it is,

ORDERED, ADJUDGED AND DECREED that Floyd G. Swearingen, be, and he is hereby, appointed as guardian ad litem for Pamela Frampton and to represent the interest of the said Pamela Frampton in this cause without service of process on the said Pamela Frampton.

DONE and ordered, this the \_\_\_\_ day of July, 1959.

ORDERED AND DECREED further that the \_\_\_\_ day of \_\_\_\_\_ 1959, be set for the hearing and disposition of said application.

---

CIRCUIT JUDGE, IN EQUITY SITTING.

I, Floyd Swearingen, hereby accept the appointment of guardian ad litem for Pamela Frampton, a minor, to represent and protect her interests upon the hearing of the above named proceedings and hereby deny each and every allegation contained in said proceedings and demand proof thereof.

This the \_\_\_\_ day of July, 1959.

---

Guardian ad litem.

THE ESTATE OF PAMELA FRAMPTON  
vs.

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,  
THE oral testimony of;

MR. P. E. RODGERS

MR. ARTHUR T. FRAMPTON

MRS. EVELYN FRAMPTON DRISKELL

acceptance and denial of Floyd G. Swearingen, Guardian ad Litem  
and answer of Natural Guardian, Mrs. FERNE L. COWLES

and in behalf of Defendant upon

Mary Thompson White

Alice J. Drake  
Register.

No. ....

---

---

**THE STATE OF ALABAMA**  
**Baldwin County**

---

---

**IN EQUITY**  
**Circuit Court of Baldwin County**

---

---

---

---

---

---

VS.

---

---

---

---

---

---

**Note of Testimony**

---

---

Filed in Open Court this 24 .....

day of June ....., 19 59

Deirdre French  
Register.

---

---

MOORE PRINTING CO., BAY MINETTE, ALA.

IN RE THE ESTATE OF  
PAMELA FRAMPTON, MINOR

\* IN THE CIRCUIT COURT OF  
\*  
\* BALDWIN COUNTY, ALABAMA.  
\*

TESTIMONY TAKEN \_\_\_\_\_

---

PRESENT: Hon. C. LeNoir Thompson, Attorney for Guardian.

Hon. Floyd Swearingen, Attorney, Guardian ad Litem.

ARTHUR T. FRAMPTON: being first duly sworn, testified:

Examination by Mr. Thompson:

Q. Will you state your name please?

A. Arthur T. Frampton.

Q. Will you name your place of residence?

A. 2122 Arrow Avenue, Anderson, Indiana.

Q. Do you know Pamela Frampton?

A. Yes sir.

Q. Are you related to Pamela?

A. Yes, her grandfather.

Q. Who was Pamela's father?

A. William Frank Frampton.

Q. Is William Frank Frampton living or dead?

A. Dead.

Q. When did he pass on?

A. April 21, 1948.

Q. Do you know whether or not his estate was ever probated?

A. Never was.

Q. Do you know Pamela Frampton's mother?

A. Yes.

Q. Is she a resident of Alabama?

A. No.

Q. What state is she a resident of?

A. Anderson, Indiana.

Q. Edward S. Frampton had an interest in this property?

A. Yes sir.

Q. He conveyed this interest to you?

A. Yes sir.

Q. You have conveyed your interest to Evelyn Frampton Driskell?

A. Yes sir.

Q. On the basis of your testimony, Pamela Frampton would have an undivided 1/5 interest in this property subject to the Life Estate

interest which you conveyed to Mrs. Evelyn Driskell?

A. Yes.

Q. Mr. Frampton do you feel that it would be to the best interest of Pamela to have her interest sold?

A. Yes.

Q. Can you divide this property equally?

A. No sir.

Q. Do you know of any restriction or any instrument of record that would forbid the sale of this minor's interest in this property?

A. No sir.

Q. It is shown in this petition Mr. Frampton that the child's interest is worth \$500.00, do you feel that, that is a fair and reasonable value for the child's interest?

A. Yes sir.

Q. In addition to this Life Estate which you held in this property, you also held the interest of two of your children?

A. Yes.

Q. This interest was conveyed also to Mrs. Evelyn Driskell?

A. Yes.

ON CROSS EXAMINATION OF THIS WITNESS, BY THE GUARDIAN AD LITEM, MR. SWEARINGEN, HE TESTIFIED:

Q. Mr. Frampton who owns the other interest in this property aside from the minor?

A. Evelyn Frampton Driskell.

Q. This minor's father is dead, is that right Mr. Frampton?

A. Yes sir.

Q. Where were the other 3/5 interest in this property?

A. 1/5 in Pamela Frampton and 2/5 in my children by a prior marriage. Delorse Senseney and Greta H. Webb, and 1/5 in Edward S. Frampton.

Q. Do you think its to the interest of the minor that this property be sold?

A. Yes.

Arthur L. Frampton

P. E. RODGERS: being first duly sworn, testified:

Examination by Mr. Thompson:

Q. This is Mr. P. E. Rodgers?

A. Yes.

Q. Where do you live?

A. I live adjoining the property involved here.

Q. How long have you known this property?



A. Ever since 1927.

Q. Do you know the value of real estate in the area where you live?

A. Yes.

Q. Do you know the value of this property?

A. Yes.

Q. There being a life estate involved in this property and the property being offered for sell subject to that life estate, would you say in your opinion that a reasonable market value of this property be \$2500.00?

A. Yes.

~~Q. Is there a house on this property?~~

A. Yes.

Q. Is it a frame house?

A. yes.

Q. Is this house in need of repair?

A. Yes, very badly,

Q. Is this land heavily timbered or is it cut over?

A. It is cut over and very few trees left.

Q. How far is the property from the main highway?

A. About 3 miles,

ON CROSS EXAMINATION OF THIS WITNESS, BY THE GUARDIAN AD LITEM, MR.

SWEARINGEN, HE TESTIFIED:

Q. Is there anything else on this property besides the frame House?

A. No.

Q. Is there much property around this property being leased for oil purposes?

A. So far as I know there is not.

Q. How old is Pamela Frampton?

A. She is ten years old.

Q. Do you know of any reason why Pamela's interest in the property should not be sold?

A. No.

P. E. R. Rogers

E

EVELYN DRISKELL: being first duly sworn, testified:

Examination by Mr. Thompson:

Q. You are Mrs. Evelyn Driskell?

A. Yes.

Q. You are ready and willing to purchase the interest of the child, Pamela Frampton?

A. I am.

Q. You will pay cash for this interest upon the deed being executed?

A. I will.

Q. You have heard the testimony as to a frame house on this property. Is this house in good condition or is it in need of repair?

A. It is need of bad repair.

Q. When you have completed the purchase, do you expect ot repair it?

A. No.

Q. Is there any merchantable timber on this property or is it cuttover?

A. It is cut over.

Q. Do you own 4/5 interest in this property?

A. Yes.

ON CROSS EXAMINATION OF THIS WITNESS, BY THE GUARDINA AD LITEM,

MR. SWEARINGEN, SHE TESTIFIED:

Q. Will you keep the house on the property after you purchase it?

A. No.

Q. Do you plan to tear it down?

A. Yes.

Q. Knowing property in this vincinity, do you expect the value to increase within the next few years?

A. No.

Q. Is any of this property low?

A. No.

Q. Is it sandy?

A. Partly.

Q. You believe that \$2500.00 is a fair price for the property considering the out standing life estate?

A. Yes, I do.

Q. Do you know of any reason why Pamela's interest in the property should not be sold?

A. No.

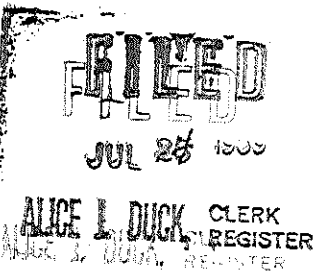
Mrs Evelyn Drisker

I, HAZEL WEEKLEY, as Commissioner hereby certify that the foregoing depositionsof Mr. P. E. RODGERS, MR. ARTHUR T. FRAMPTON, and MRS. EVELYN FRAMPTON DRISKELL on Oral Examination was taken down in writing by me in the words of the witness and read over to them and they signed the same in the presence of myself and C. LeNoir Thompson, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this the 24 day of July, 1959.

Hazel Weekley (L.S.)



IN RE THE ESTATE OF  
PAMELA FRAMPTON, MINOR

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

This cause coming to be heard for final decree is submitted upon the pleading and proof as noted by the Register, being testimony of Arthur T. Frampton, Grandfather of said minor child; P. E. Rodgers, owner of land adjoining; and Mrs. Evelyn Driskell, owner of the life estate, in the said premises; appointment and answer of Guardian ad litem, Floyd G. Swearingen, and waiver of notice by Mrs. Ferne L. Cowles, adult non-resident Guardian of the said minor; and the same being considered by the Court, and it appearing therefrom that Pamela Frampton, Minor, owns one-fifth undivided remainderman's interest subject to a life estate, in and to the following described land situate in the County of Baldwin, State of Alabama, to-wit:

The Northwest Quarter of the Southeast Quarter of  
Section one Township 5 South, Range 3 East of the St.  
Stephens Meridian in Baldwin County, Alabama.

that the title is derived from the Estate of William Frank Frampton, an heir of William C. Frampton, who formerly owned the above described premises; and, that the said Evelyn Frampton Driskell has offered to buy the interest of the said Pamela Frampton in said lands for and at the sum of Five Hundred (\$500.00) Dollars cash; and that the said price is the fair and reasonable market value of said property; that the same is of such character and condition, that it cannot be equitably divided and that the said Pamela Frampton cannot reap any benefit therefrom, she being a non-resident of Baldwin County, Alabama residing with her Guardian in Anderson, Madison County, Indiana, and the said lands having no reasonable rental value; that there is no marketable timber thereon and the said minor can make no use of said lands nor has she any income from which to pay the taxes on the same and the cost of looking after the said lands; and that it is to the best interest of the said minor that the lands be sold at private sale for the said price and for cash; and that the same sold in such manner would produce more net return to the said minor than a sale of the said interest at public outcry.

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the sale of her undivided one-fifth interest in said property above described to Evelyn Frampton Driskell for and at the sum of Five Hundred \_\$500.00) Dollars cash, by Mrs. Eugenia Fincher, as guardian of Pamela Frampton, be and the same is hereby ratified and confirmed, and the said Mrs. Eugenia Fincher be and she is hereby authorized, directed and required by this Court to execute and deliver to Evelyn Frampton Driskell, a proper deed of conveyance, conveying to Evelyn Frampton Driskell the undivided one-fifth interest of said property which has vested in the said Pamela Frampton, minor.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That the said Evelyn Frampton Driskell be and she is hereby taxed with the cost of this proceeding for which let execution issue.

DONE THIS 25<sup>th</sup> day of July, 1959.

**FILED**  
JUL 25 1959  
ALICE L. DUCK, CLERK  
REGISTER

Hubert M. Steel  
Judge.

IN RE THE ESTATE OF  
PAMELA FRAMPTON, MINOR

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

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

Comes Mrs. Eugenia Fincher, guardian of the estate of Pamela  
Frampton, a minor, by appointment of the Probate Court of Baldwin  
County, and respectfully represents that the said minor is a tenant  
in common with Evelyn Frampton Driskell, of the following described  
real estate, to-wit:

The Northwest Quarter of the Southeast Quarter of  
Section one Township 5 South Range 3 East of the St.  
Stephens Meridian in Baldwin County, Alabama.

said minor owns one-fifth undivided remainderman's interest subject  
to a life estate in said land; there is no valid authority to sell  
the interest vested in the said minor by the terms of any instrument  
by which said minor holds said property, nor is such sale restricted  
or prohibited by such instrument.

The said Evelyn Frampton Driskell owns the remaining undivided  
interest in said property.

Your Petitioner further represents that the said Evelyn Frampton  
Driskell desires to buy and that the said Mrs. Eugenia Fincher as  
the guardian of said Pamela Frampton a minor, desires to sell the  
said minor's interest in said property and has sold the said minor's  
interest in the above described lands to Evelyn Frampton Driskell  
for the sum of FIVE HUNDRED (\$500.00) DOLLARS upon the following  
terms, to-wit: payable in cash and that it is to the interest of  
said minor to sell and dispose of her interest in said lands for the  
above named sum for the said minor, a tenant in common. It being  
further to the interest of said minor to dispose of said property  
since the said minor is a non-resident of the State of Alabama where  
said property is located and is no longer able to look after her  
interest in said property in a suitable and proper manner.

Your Petitioner further represents that the name, age and place  
of residence of the said minor is as follows: Rt. 6, Box 506,  
Anderson, Indiana.

Your Petitioner further represents that the said Mrs. Ferne L. Cowles, who resides at Rt. 6, Box 506, Anderson, Indiana, is the mother, over the age of 21 and is the next of kin to said minor. There are no next of kin to said minor residing in the state of Alabama other than the said Mrs. Evelyn Frampton Driskell.

PRAYER FOR PROCESS

The premises considered, your Petitioner prays that your Honor appoint a day for the hearing of this petition, not less than 20 days from the filing thereof, and that notice of the day set for such hearing be given to the person in whose custody said minor may be, and there being no adult next of kin to said minor residing in this State and not interested in said sale, that a guardian ad litem be appointed to represent and protect the interest of said minor as required by law and that said Guardian Ad Litem be served with a copy of this petition.

PRAYER FOR RELIEF

Your Petitioner further prays that upon the Final Hearing of said petition, that this Honorable Court will enter an order declaring that said parcel cannot be equitably divided without a sale of the same and that it is to the best interest of the said Pamela Frampton, a minor, to sell said interest in said real property at a private sale to the said Mrs. Evelyn Anna Frampton Driskell and that the said money, after the expenses of said sale shall be paid over to the fiduciary account of the Probate Court and that following said sale this Honorable Court will order that a reference be held to fix and determine a reasonable attorneys fee to be paid out of the proceeds of said sale to Thompson and White as attorneys for the said minor and that this Honorable Court will, upon a report back of said sale, confirm same in accordance with the decree authorizing such.

Your Petitioner prays for such other, further and different relief as in the premises will be meet and proper. And your Petitioner will ever pray, etc.,

FILED

JUL 2 1969

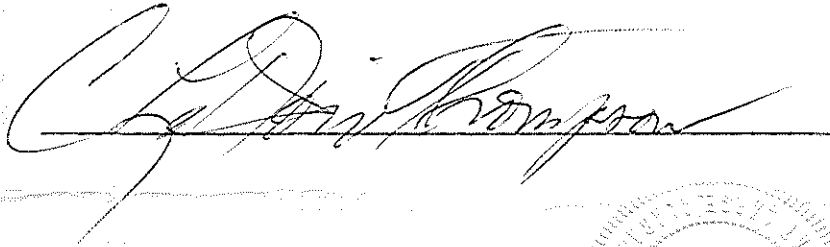
ALICE J. DUCK, CLERK  
REGISTER

THOMPSON & WHITE

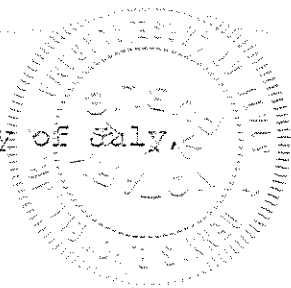
*C. J. Driskell*  
Attorneys for said Guardian.

STATE OF ALABAMA  
BALDWIN COUNTY.

Before me the undersigned Notary Public, in and for said County, in said State, this day personally appeared C. LeNoir Thompson, one of the Attorneys for said Guardian, who is known to me and who being by me duly sworn, deposes and says that he has read the foregoing petition, that the facts therein stated are true.



Sworn to and subscribed before me on this 22 day of July, 1959.



  
Notary Public, Baldwin County, Alabama.

FILED

JUL 21 1960

ALICE J. DUCK, CLERK  
REGISTER

*Ex. July 6, 1959*



NO. 4636

1020

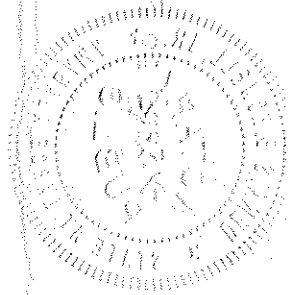
Estate of  
Pamella Trumpton  
a Minor

red 6 day of July 19 51  
n 6 day of July 19 51  
ed a copy of the within Petition  
Floyd Swearingen, Jr.  
vice on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By [Signature] D. S.

D. Mills



Serve on  
Hon. Floyd Swearingen

550

STATE OF ALABAMA  
BALDWIN COUNTY

X  
X

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

To: Honorable Phyllis S. Nesbit, Attorney

Take Notice, That by an order of this Court, this day made and entered, you were appointed to act as Guardian ad Litem for Pamela Frampton, a Minor, to represent and protect her interest upon the final hearing of the petition of Eugenia Fincher, as Guardian of said Minor, for discharge of the said Eugenia Fincher as Guardian; said hearing to be held on July 19, 1962, at \_\_\_\_\_ M.

Given under my hand, this 14 day of June, 1962.

Alice J. Nesbit  
Register in Chancery

I hereby accept the appoint of Guardian ad litem for Pamela Frampton, a Minor, to represent and protect her interests upon the hearing of the above named proceedings and hereby deny each and every allegation contained in said proceedings and demand proof thereof.

Witness my hand, this 14<sup>th</sup> day of June, 1962.

Phyllis S. Nesbit  
Guardian ad litem

IN RE: THE ESTATE OF  
PAMELA FRAMPTON, A MINOR

IN THE CIRCUIT COURT  
OF  
BALDWIN COUNTY

Comes your petitioner, the undersigned Mrs. Eugenia Fincher, as guardian of the estate of Pamela Frampton, a minor, and respectfully represents and shows unto the Court as follows:

1. That petitioner has been heretofore appointed as guardian of the estate of the said Pamela Frampton, a minor, by a decree of the Probate Court of Baldwin County, Alabama, rendered on heretofore the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and qualified and has been acting as guardian of said estate from the date of appointment, up to the present time.
2. Has this day filed her resignation as guardian of the said Pamela Frampton, a minor, with the Probate Court of Baldwin County, Alabama, copy of resignation attached hereto, together with a copy of the accounting of monies handled by her for the said minor.
3. That petitioner has administered the estate of said minor and has paid over and delivered to Honorable W. R. Stuart, Probate Judge of Baldwin County, for payment into the fiduciary fund of the said Probate Judge the sum of \$ \_\_\_\_\_, being the sum of \$500 received from the sale of the said minor's undivided interest in a parcel of real property, which interest being conveyed under authority of a decree of the Circuit Court of Baldwin County in Equity, less expenses incurred in the administration—for bond \$20<sup>00</sup>, for court costs \$\_\_\_\_\_.
4. That said accounting is attached hereto and itemized as Exhibit A hereof and made a part of this petition.
5. That your petitioner has received no other property of any kind and has accounted for all property which came into your petitioner's hands by virtue of her appointment as such guardian and, having resigned, your petitioner is entitled to be relieved and discharged as such guardian.

WHEREFORE, premises considered, petitioner prays that upon a hearing hereof, petitioner may pay over said money and may be discharged as guardian of the estate of the said Pamela Frampton, a minor, and said guardianship may be finally settled and closed.

Mrs Eugenia Fincher  
As Guardian of the Estate of Pamela Frampton, a Minor

Sworn to and subscribed before me this 21 day of Oct, 1959.

C. L. Dyer Thompson  
Notary Public, Baldwin County, Alabama

IN RE: ESTATE OF PAMELA FRAMPTON,

A MINOR

IN THE PROBATE COURT

OF

BALDWIN COUNTY, ALABAMA

Now comes the undersigned, Mrs. Eugenia Fincher, and resigns as Guardian of Pamela Frampton, a Minor, and submits concurrently herewith a final settlement of her administration of said Guardianship.

FILED  
NOV 31 1959  
AUG 1. DICK. CLERK  
REGISTER

Mr. Eugenia Fisher  
Guardian of the Estate of  
Pamela Frampton, a Minor,

IN RE: THE ESTATE OF  
PAMELA FRAMPTON, a minor

X  
X

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

Comes the undersigned, The Fidelity and Casualty Company of New York, a corporation, a surety upon the guardianship bond of Eugenia Fincher, as guardian of the estate of Pamela Frampton, a minor, and accepts service of notice of the filing by the said Eugenia Fincher, as guardian, of a petition for final settlement of said guardianship estate and does hereby waive formal notice of the same and consents that the said Eugenia Fincher may be discharged as such guardian, without further notice to the undersigned; and does expressly relieve said guardian from filing the vouchers in said estate and any other or further account of said guardianship.

In witness whereof, The Fidelity and Casualty Company of New York, a corporation, has caused its hand and seal to be affixed to this instrument this 8th day of August, 1961.

THE FIDELITY AND CASUALTY COMPANY OF NEW YORK,  
a corporation

BY:

*John S. Moore*  
~~XXXXXXXXXXXXXXXXXXXX~~ John S. Moore, Attorney

STATE OF ALABAMA  
BALDWIN COUNTY

I, *C. Le Davis Thompson*, a notary public, in and for said County in said State, hereby certify that *John S. Moore*, whose name as attorney-in-fact of The Fidelity and Casualty Company of New York, a corporation, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and notarial seal this the 14 day of August, 1961.

*C. Le Davis Thompson*  
Notary Public, Baldwin County, Alabama

MEMORANDUM FOR THE DIRECTOR

1

DATE: AUGUST 7, 1961

SUBJECT: [Illegible]

TO: [Illegible]

1. [Illegible]

2. [Illegible]

3. [Illegible]

4. [Illegible]

5. [Illegible]

6. [Illegible]

7. [Illegible]

8. [Illegible]

9. [Illegible]

10. [Illegible]

11. [Illegible]

12. [Illegible]

13. [Illegible]

14. [Illegible]

15. [Illegible]

RECEIVED  
AUG 7 1961  
BIRMINGHAM, B.O.

16. [Illegible]

17. [Illegible]

18. [Illegible]

19. [Illegible]

20. [Illegible]

21. [Illegible]

22. [Illegible]

23. [Illegible]

24. [Illegible]

25. [Illegible]

26. [Illegible]

27. [Illegible]

# The Fidelity and Casualty Company of New York

## GENERAL POWER OF ATTORNEY

Know all men by these Presents, That THE FIDELITY AND CASUALTY COMPANY OF NEW YORK has made, constituted and appointed, and by these presents does make, constitute, and appoint

John S. Moore of Birmingham, Alabama

its true and lawful attorney for it and in its name, place and stead to execute on behalf of the said Company, as surety, bonds, undertakings and contracts of suretyship to be given to

all obligees

provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of TWO HUNDRED FIFTY THOUSAND (\$250,000) DOLLARS.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of THE FIDELITY AND CASUALTY COMPANY OF NEW YORK at a meeting duly called and held on the 16th day of October, 1957:

"RESOLVED, that the Chairman of the Board, the President, an Executive Vice President or any Vice President of the Company, be, and that each or any of them hereby is, authorized to execute Powers of Attorney qualifying the attorney named in the given Power of Attorney to execute in behalf of THE FIDELITY AND CASUALTY COMPANY OF NEW YORK, bonds, undertakings and all contracts of suretyship; and that any Secretary or any Assistant Secretary be, and that each or any of them hereby is, authorized to attest the execution of any such Power of Attorney, and to attach thereto the seal of the Company.

FURTHER RESOLVED, that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached."

In Witness Whereof THE FIDELITY AND CASUALTY COMPANY OF NEW YORK has caused its official seal to be hereunto affixed, and these presents to be signed by one of its Vice Presidents and attested by one of its Secretaries this 31st day of March, 1961.

THE FIDELITY AND CASUALTY COMPANY OF NEW YORK

Attest:

By

*J. Miller*

Secretary



*Carroll R. Young*

Vice-President

STATE OF NEW YORK,

COUNTY OF NEW YORK,

ss.:

On this 31st day of March, 1961, before me personally came Carroll R. Young, to me known, who being by me duly sworn, did depose and say: that he resides in Berkeley Heights in the County of Union, State of New Jersey, at 23 Ridge Drive East; that he is a Vice-President of THE FIDELITY AND CASUALTY COMPANY OF NEW YORK, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



### CERTIFICATE

STATE OF NEW YORK,

COUNTY OF NEW YORK,

ss.:

*Gregory J. Faljean*

GREGORY J. FALJEAN  
Notary Public - State of New York  
No. 43-1154750

Qualified in Richmond County  
Certificate Filed in New York County  
Commission Expires March 30, 1963

I, the undersigned, a Secretary of THE FIDELITY AND CASUALTY COMPANY OF NEW YORK, a New York corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney, is now in force.

Signed and sealed at the City of New York. Dated the 8th day of August, 1961.



*J. Miller*

Secretary

IN RE: THE ESTATE OF  
PAMELA FRAMPTON, A MINOR

IN THE CIRCUIT COURT  
OF  
BALDWIN COUNTY

Comes your petitioner, the undersigned Mrs. Eugenia Fincher, as guardian of the estate of Pamela Frampton, a minor, and respectfully represents and shows unto the Court as follows:

1. That petitioner has been heretofore appointed as guardian of the estate of the said Pamela Frampton, a minor, by a decree of the Probate Court of Baldwin County, Alabama, rendered on heretofore the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and qualified and has been acting as guardian of said estate from the date of appointment, up to the present time.
2. Has this day filed her resignation as guardian of the said Pamela Frampton, a minor, with the Probate Court of Baldwin County, Alabama, copy of resignation attached hereto, together with a copy of the accounting of monies handled by her for the said minor.
3. That petitioner has administered the estate of said minor and has paid over and delivered to Honorable W. R. Stuart, Probate Judge of Baldwin County, for payment into the fiduciary fund of the said Probate Judge the sum of \$ \_\_\_\_\_, being the sum of \$500 received from the sale of the said minor's undivided interest in a parcel of real property, which interest being conveyed under authority of a decree of the Circuit Court of Baldwin County in Equity, less expenses incurred in the administration—for bond \$ 20.00 for court costs \$ 96.67
4. That said accounting is attached hereto and itemized as Exhibit A hereof and made a part of this petition.
5. That your petitioner has received no other property of any kind and has accounted for all property which came into your petitioner's hands by virtue of her appointment as such guardian and, having resigned, your petitioner is entitled to be relieved and discharged as such guardian.

WHEREFORE, premises considered, petitioner prays that upon a hearing hereof, petitioner may pay over said money and may be discharged as guardian of the estate of the said Pamela Frampton, a minor, and said guardianship may be finally settled and closed.

Mrs. Eugenia Fincher  
As Guardian of the Estate of Pamela Frampton, a Minor

Sworn to and subscribed before me this 31 day of Oct, 1959.

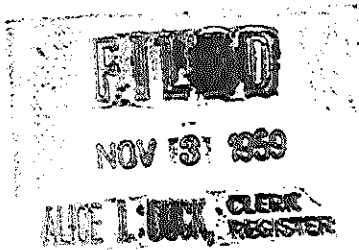
C. L. Davis  
Notary Public, Baldwin County, Alabama



IN RE: ESTATE OF PAMELA FRAMPTON,  
A MINOR

4636.  
IN THE PROBATE COURT  
OF  
BALDWIN COUNTY, ALABAMA

Now comes the undersigned, Mrs. Eugenia Fincher, and resigns  
as Guardian of Pamela Frampton, a Minor, and submits concurrently  
herewith a final settlement of her administration of said Guardianship.



Mrs. Eugenia Fincher  
Guardian of the Estate of  
Pamela Frampton, a Minor.

IN RE THE ESTATE OF  
PAMELA FRAMPTON, MINOR

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

In this cause it appearing to the Court by affidavit of C. LeNoir Thompson, one of the Attorneys for the Petitioner, that Pamela Frampton is a minor under the age of fourteen years, and a non-resident of the State of Alabama residing with her mother Ferne F. Cowles, Rt. 6, Box 506, Anderson, Indiana, and that she has no adult next of kin resident in the state, and that by reason of the facts aforesaid the Court is of the opinion that a guardian ad litem should be appointed to represent the interest of the said Pamela Frampton in this cause without service of process on the said Pamela Frampton. It further appearing that Floyd G. Swearingen, has filed his consent in writing to act as guardian ad litem for the said minor, and he being a fit and suitable person to act as guardian ad litem for and represent the interest of the said Pamela Frampton in this proceeding, it is,

ORDERED, ADJUDGED AND DECREED that Floyd G. Swearingen, be, and he is hereby, appointed as guardian ad litem for Pamela Frampton and to represent the interest of the said Pamela Frampton in this cause without service of process on the said Pamela Frampton.

DONE and ordered, this the 2 day of July, 1959.

ORDERED AND DECREED further that the 24 day of July 1959, be set for the hearing and disposition of said application.

Hubert M. Stace  
CIRCUIT JUDGE, IN EQUITY SITTING.

I, Floyd Swearingen, hereby accept the appointment of guardian ad litem for Pamela Frampton, a minor, to represent and protect her interests upon the hearing of the above named proceedings and hereby deny each and every allegation contained in said proceedings and demand proof thereof.

This the 2nd day of July, 1959.

Floyd G. Swearingen  
Guardian ad litem.

IN RE THE ESTATE OF  
PAMELA FRAMPTON, MINOR

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

Now comes Ferne L. Cowles residing at Route 6, Box 506, Anderson, Indiana, the mother and natural guardian of Pamela Frampton, a minor under the age of 14 years, accepts service of the petition to sell said minors interest in certain lands situate in Baldwin County, Alabama.

As the said mother and natural guardian with whom the said minor resides in Indiana, the said Ferne L. Cowles admits the allegations as to age and residence of said minor and as to the appointment of the said guardian in Alabama.

AND FURTHER the said Ferne L. Cowles as the mother and natural guardian joins in petitioning the sale of the interest of the said minor believing that the best interest of the said minor will be served by such sale.

AND FURTHER the said Ferne L. Cowles waives notice of the time of taking of testimony on behalf of the said Alabama Guardian, the right to cross-examine witnesses called in such matter and agrees that this cause be submitted for final decree without further notice.

Ferne L. Cowles

STATE OF Indiana  
COUNTY OF Madison

I, Joe McGinnis, a Notary Public, in and for said County, in said State, hereby certify that Ferne L. Cowles, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance she executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 17<sup>th</sup> day of July, 1959.

Joe McGinnis  
Notary Public My Comm. Expires 12/30/60

IN RE THE ESTATE OF  
PAMELA FRAMPTON, a Minor

X  
X  
X

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

This day came, Mrs. Eugenia Fincher, as guardian of Pamela Frampton, a minor, and filed her report and petition for final settlement of said estate;

And it further appearing to the Court that the said Mrs. Eugenia Fincher is resigning and has petitioned this Court for an order authorizing the payment of the minor's estate into Court and the discharge of said guardianship.

And it appearing from the accounting that the only monies expended from the said ward's estate are monies for the payment of bond fees and court costs.

And it further appearing to the Court that the Fidelity and Casualty Company of New York, as surety on the bond of said guardian, has filed in this court a paper in writing waiving notice of the day set for said final settlement, it is, therefore,

ordered, adjudged and decreed by the court that the 19 day of July, 1962, be appointed a day to hear said petition and that notice be given by posting for three successive weeks at the court house door and three other public places in said county and state, stating the name of the guardian, the name of the ward, and the time and nature of said settlement.

Done this the 13 day of June, 1962.

Hubert M. Jones  
Judge.

FILED  
JUN 13 1962  
ALICE J. DUCK, CLERK  
REGISTER

IN RE THE ESTATE OF  
PAMELA FRAMPTON, MINOR

X  
X  
X

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

TESTIMONY TAKEN

---

PRESENT: Hon. C. LeNoir Thompson, Attorney for Guardian  
Hon. Mary Thompson White, Attorney for Guardian  
Hon. Phyllis S. Nesbit, Attorney, Guardian ad litem

MRS. EUGENIA FINCHER: being first duly sworn, testified:

Examination by Mr. Thompson:

Q. You are Mrs. Eugenia Fincher:

A. That is right.

Q. Mrs. Fincher, you are the guardian of Pamela Frampton?

A. Yes sir, I was appointed August 1, 1958.

Q. And acted as guardian in the hearing providing for the sale of an interest in lands which Pamela Frampton, a minor owned?

A. Yes sir.

Q. Directing your attention to the 25th day of July, 1959, in which by decree of the Circuit Court of Baldwin County, Judge H. M. Hall confirmed the sale of an interest in lands which Pamela Frampton, a minor had and the reasonable value of that property was set at \$500.00 cash, did you receive the \$500.00 cash as guardian of Pamela Frampton, a minor?

A. Yes sir.

Q. And you had the \$500.00 under your custody and control since that occasion?

A. Yes sir.

Q. From that \$500.00 have you paid out any checks for any expense?

A. Yes

Q. Referring to a receipt of the Equity Division of the Circuit Court of Baldwin County Number 4058 in the amount of \$42.37 issued to you as guardian of the Estate of Pamela Frampton, a minor, did you pay this \$42.37 out of the \$500.00?

A. Yes sir.

Q. You paid it by check?

A. That is right.

Q. I will show you a balance sheet of the Farmers and Merchants Bank of Baldwin County. Is the check noted as drawn against that account on January 29, 1960, the check you issued to pay the court costs?

A. Yes sir.

Q. Is that the check in payment of Receipt No. 4058?

A. Yes sir.

We offer Receipt 4058 as Exhibit "A", and the bank statement of the Farmers and Merchants Bank as Exhibit "B".

Q. I will show you a receipt dated June 23, 1962, by Robertsdale Insurance Company to the Estate of Pamela Frampton in the amount of \$20.00 marked "paid in full". Did you write a check for that amount against the Estate of Pamela Frampton?

A. It was taken out of the savings account.

Q. So there had to be a check written?

A. Yes

Q. So you paid it out of the Estate of Pamela Frampton account?

A. Yes

Q. The statement from the Farmers and Merchants Bank signed by Gus Schultz as President showing a balance of \$437.63, is this correct according to your bookkeeping?

A. Yes, but there is a year's interest added to that amount.

Q. This money that you received as guardian of the Estate of Pamela Frampton, a minor was deposited in what Bank?

A. Farmers and Merchants Bank at Foley.

Q. Did you have that money in the Farmers and Merchants Bank the last twelve months on savings or checking account?

A. Savings account.

Q. You do not today have a statement as to the interest the money has earned?

A. No

Q. The paper you hold in your hand is a resignation as guardian of the Estate of Pamela Frampton, a minor. Is it your resignation?

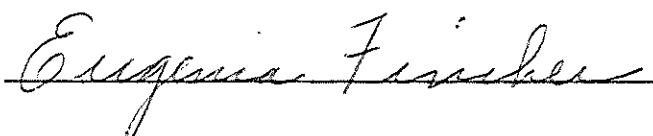
A. Yes

Q. I also show you a petition for final settlement. Is that your signature?

A. Yes sir.

Q. And you have filed with the Court a petition for final settlement and you have filed your resignation and when the court has approved your final settlement, you wish the court to also approve your resignation and give you a discharge?

A. Yes sir.

A handwritten signature in cursive script, reading "Eugenia Fisher", is written over a horizontal line.

ON CROSS-EXAMINATION OF THIS WITNESS, BY THE GUARDIAN AD LITEM, MRS. PHYLLIS S. NESBIT, SHE TESTIFIED:

Q. Your testimony was that you were appointed guardian August 1, 1958?

A. Yes

Q. Do you recall the date this land was sold?

A. Not the exact date.

Q. Mrs. Fincher, was this deed a proper conveyance conveying the interest to Evelyn Frampton Driskell. Was that deed signed and given to Mrs. Driskell?

A. Yes.

Q. At the time you gave the deed to Mrs. Driskell you received \$500.00?

A. That is right.

Q. And that was July 25, 1959?

A. Yes.

Q. Did you deposit the money in the Farmers and Merchants Bank at that time?

A. Yes.

Q. And I believe your testimony was that last June or July you took it out of checking account and put it on savings account?

A. Yes, June 14, 1961.

Q. And you do not know how much interest it has accumulated?

A. No.

Q. What was the amount you put in that date?

A. \$457.63.

Q. And the \$20.00 you paid on the bond makes the balance now \$437.63?

A. Yes.

Q. Do you know what amount of interest that money is drawing?

A. I don't know for sure. 4½% I think.

Eugenia Fincher

IN RE THE ESTATE OF  
PAMELA FRAMPTON, MINOR

X  
X  
X

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

TESTIMONY TAKEN

---

PRESENT: Hon. C. LeNoir Thompson, Attorney for Guardian  
Hon. Mary Thompson White, Attorney for Guardian  
Hon. Phyllis S. Nesbit, Attorney, Guardian ad litem

MRS. EUGENIA FINCHER, being first duly sworn, testified:

Examination by Mr. Thompson:

Q. You are Mrs. Eugenia Fincher:

A. That is right.

Q. Mrs. Fincher, you are the guardian of Pamela Frampton?

A. Yes sir, I was appointed August 1, 1958.

Q. And acted as guardian in the hearing providing for the sale of an interest in lands which Pamela Frampton, a minor owned?

A. Yes sir.

Q. Directing your attention to the 25th day of July, 1959, in which by decree of the Circuit Court of Baldwin County, Judge H. M. Hall confirmed the sale of an interest in lands which Pamela Frampton, a minor had and the reasonable value of that property was set at \$500.00 cash, did you receive the \$500.00 cash as guardian of Pamela Frampton, a minor?

A. Yes sir.

Q. And you had the \$500.00 under your custody and control since that occasion?

A. Yes sir.

Q. From that \$500.00 have you paid out any checks for any expense?

A. Yes

Q. Referring to a receipt of the Equity Division of the Circuit Court of Baldwin County Number 4058 in the amount of \$42.37 issued to you as guardian of the Estate of Pamela Frampton, a minor, did you pay this \$42.37 out of the \$500.00?

A. Yes sir.

Q. You paid it by check?

A. That is right.

Q. I will show you a balance sheet of the Farmers and Merchants Bank of Baldwin County. Is the check noted as drawn against that account on January 29, 1960, the check you issued to pay the court costs?

A. Yes sir.



Q. Is that the check in payment of Receipt No. 4058?

A. Yes sir.

We offer Receipt 4058 as Exhibit "A", and the bank statement of the Farmers and Merchants Bank as Exhibit "B".

Q. I will show you a receipt dated June 23, 1962, by Robertsdale Insurance Company to the Estate of Pamela Frampton in the amount of \$20.00 marked "paid in full". Did you write a check for that amount against the Estate of Pamela Frampton?

A. It was taken out of the savings account.

Q. So there had to be a check written?

A. Yes

Q. So you paid it out of the Estate of Pamela Frampton account?

A. Yes

Q. The statement from the Farmers and Merchants Bank signed by Gus Schultz as President showing a balance of \$437.63, is this correct according to your bookkeeping?

A. Yes, but there is a year's interest added to that amount.

Q. This money that you received as guardian of the Estate of Pamela Frampton, a minor was deposited in what Bank?

A. Farmers and Merchants Bank at Foley.

Q. Did you have that money in the Farmers and Merchants Bank the last twelve months on savings or checking account?

A. Savings account.

Q. You do not today have a statement as to the interest the money has earned?

A. No

Q. The paper you hold in your hand is a resignation as guardian of the Estate of Pamela Frampton, a minor. Is it your resignation?

A. Yes

Q. I also show you a petition for final settlement. Is that your signature?

A. Yes sir.

Q. And you have filed with the Court a petition for final settlement and you have filed your resignation and when the court has approved your final settlement, you wish the court to also approve your resignation and give you a discharge?

. Yes sir.

Eugenia Fincher

ON CROSS-EXAMINATION OF THIS WITNESS, BY THE GUARDIAN AD LITEM, MRS. PHYLLIS S. NESBIT, SHE TESTIFIED:

Q. Your testimony was that you were appointed guardian August 1, 1958?

A. Yes

Q. Do you recall the date this land was sold?

A. Not the exact date.

Q. Mrs. Fincher, was this deed a proper conveyance conveying the interest to Evelyn Frampton Driskell. Was that deed signed and given to Mrs. Driskell?

A. Yes.

Q. At the time you gave the deed to Mrs. Driskell you received \$500.00?

A. That is right.

Q. And that was July 25, 1959?

A. Yes.

Q. Did you deposit the money in the Farmers and Merchants Bank at that time?

A. Yes.

Q. And I believe your testimony was that last June or July you took it out of checking account and put it on savings account?

A. Yes, June 14, 1961.

Q. And you do not know how much interest it has accumulated?

A. No.

Q. What was the amount you put in that date?

A. \$457.63.

Q. And the \$20.00 you paid on the bond makes the balance now \$437.63?

A. Yes.

Q. Do you know what amount of interest that money is drawing?

A. I don't know for sure. 4½% I think.

Eugenia Fincher

# ROBERTSDALE INSURANCE AGENCY

P. O. DRAWER 10  
ROBERTSDALE, ALABAMA

June 25, 1962

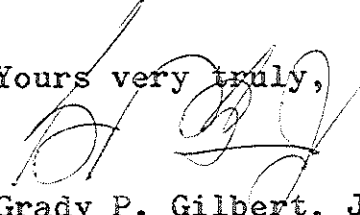
Mr. C. Lenoir Thompson  
Attorney at Law  
Bay Minette, Alabama

Dear Mr. Thompson:

We are now attaching statement from the Farmers and Merchants Bank as to the net balance in the savings account on the Pamela Frampton estate; together with our bill for the payment made to us this week.

We assume that with this you can close the matter to your satisfaction.

Yours very truly,

  
Grady P. Gilbert, Jr.

GPGJr/ss



Fire - Casualty

# FARMERS & MERCHANTS BANK

E. F. Sanders, President

Gus. Schultz, Vice president  
Anthony Sute, Cashier

CAPITAL  
SURPLUS



\$200,000.00  
\$250,000.00

Miss Norma J. Manley, Ass't Cashier  
Mrs. Naomi M. Pilgrim, Ass't Cashier

FOLEY, ALABAMA

June 20, 1962

Mr. C. Lenoir Thompson  
Bay Minette, Ala.

Dear Mr. Thompson:

The balance in the savings account of Eugenie Fincher/as of  
this date is \$437.63

Guardian of Pamela Frampton

Very truly yours.

*E. F. Sanders*  
Vice President.

Ex. "A"

RECEIPT

Nº 4058

The State of Alabama, Baldwin County

Equity Division, Circuit Court.

Case No. 4613

Date 1-27, 1964

RECEIVED OF

the sum of

Trial Tax

\$

\$

\$

\$

\$

\$

\$

Total \$ 42.37

As Register, Baldwin County, Ala.

By \_\_\_\_\_

S. W. Ala. Publ., Bay Minette

IN RE THE ESTATE OF  
PAMELA FRAMPTON, MINOR

X  
X  
X

IN THE CIRCUIT COURT  
BALDWIN COUNTY, ALABAMA

TESTIMONY TAKEN

PRESENT: Hon. C. LeNoir Thompson, Attorney for Guardian  
Hon. Mary Thompson White, Attorney for Guardian  
Hon. Phyllis S. Nesbit, Attorney, Guardian ad litem

MRS. EUGENIA FINCHER, being first duly sworn, testified:

Examination by Mr. Thompson:

Q. You are Mrs. Eugenia Fincher:

A. That is right.

Q. Mrs. Fincher, you are the guardian of Pamela Frampton?

A. Yes sir, I was appointed August 1, 1958.

Q. And acted as guardian in the hearing providing for the sale of an interest in lands which Pamela Frampton, a minor owned?

A. Yes sir.

Q. Directing your attention to the 25th day of July, 1959, in which by decree of the Circuit Court of Baldwin County, Judge H. M. Hall confirmed the sale of an interest in lands which Pamela Frampton, a minor had and the reasonable value of that property was set at \$500.00 cash, did you receive the \$500.00 cash as guardian of Pamela Frampton, a minor?

A. Yes sir.

Q. And you had the \$500.00 under your custody and control since that occasion?

A. Yes sir.

Q. From that \$500.00 have you paid out any checks for any expense?

A. Yes

Q. Referring to a receipt of the Equity Division of the Circuit Court of Baldwin County Number 4058 in the amount of \$42.37 issued to you as guardian of the Estate of Pamela Frampton, a minor, did you pay this \$42.37 out of the \$500.00?

A. Yes sir.

Q. You paid it by check?

A. That is right.

Q. I will show you a balance sheet of the Farmers and Merchants Bank of Baldwin County. Is the check noted as drawn against that account on January 29, 1960, the check you issued to pay the court costs?

A. Yes sir.

Q. Is that the check in payment of Receipt No. 4058?

A. Yes sir.

We offer Receipt 4058 as Exhibit "A", and the bank statement of the Farmers and Merchants Bank as Exhibit "B".

Q. I will show you a receipt dated June 23, 1962, by Robertsdale Insurance Company to the Estate of Pamela Frampton in the amount of \$20.00 marked "paid in full". Did you write a check for that amount against the Estate of Pamela Frampton?

A. It was taken out of the savings account.

Q. So there had to be a check written?

A. Yes

Q. So you paid it out of the Estate of Pamela Frampton account?

A. Yes

Q. The statement from the Farmers and Merchants Bank signed by Gus Schultz as President showing a balance of \$437.63, is this correct according to your bookkeeping?

A. Yes, but there is a year's interest added to that amount.

Q. This money that you received as guardian of the Estate of Pamela Frampton, a minor was deposited in what Bank?

A. Farmers and Merchants Bank at Foley.

Q. Did you have that money in the Farmers and Merchants Bank the last twelve months on savings or checking account?

A. Savings account.

Q. You do not today have a statement as to the interest the money has earned?

A. No

Q. The paper you hold in your hand is a resignation as guardian of the Estate of Pamela Frampton, a minor. Is it your resignation?

A. Yes

Q. I also show you a petition for final settlement. Is that your signature?

A. Yes sir.

Q. And you have filed with the Court a petition for final settlement and you have filed your resignation and when the court has approved your final settlement, you wish the court to also approve your resignation and give you a discharge?

Yes sir.

Eugene Fincher

ON CROSS-EXAMINATION OF THIS WITNESS, BY THE GUARDIAN AD LITEM, MRS.  
PHYLLIS S. NESBIT, SHE TESTIFIED:

Q. Your testimony was that you were appointed guardian August 1,  
1958?

A. Yes.

Q. Do you recall the date this land was sold?

A. Not the exact date.

Q. Mrs. Fincher, was this deed a proper conveyance conveying the  
interest to Evelyn Frampton Driskell. Was that deed signed and  
given to Mrs. Driskell?

A. Yes.

Q. At the time you gave the deed to Mrs. Driskell you received  
\$500.00?

A. That is right.

Q. And that was July 25, 1959?

A. Yes.

Q. Did you deposit the money in the Farmers and Merchants Bank at  
that time?

A. Yes.

Q. And I believe your testimony was that last June or July you  
took it out of checking account and put it on savings account?

A. Yes, June 14, 1961.

Q. And you do not know how much interest it has accumulated?

A. No.

Q. What was the amount you put in that date?

A. \$457.63.

Q. And the \$20.00 you paid on the bond makes the balance now  
\$437.63?

A. Yes.

Q. Do you know what amount of interest that money is drawing?

A. I don't know for sure. 4½% I think.

Eugenia Fincher



COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Helen McDowell

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine

Mrs. Eugenia Fincher

a witness in behalf of guardian, Mrs. Eugenia Fincher in a cause pending in our  
Circuit Court in Baldwin County, of said State, wherein

The estate of Pamela Frampton, a minor, is being settled and  
closed.

, Complainant

and

Respondent

on oath, to be by you administered, upon  
to take and certify the deposition of the witness and return the same to our Court, with all con-  
venient speed, under your hand.

Witness 13 day of

Aug

, 1962

*Archie J. Duck*

Register

Commissioner's Fee, \$

Witness' Fees, \$

The State of Alabama,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

IN RE: THE ESTATE OF PAMELA FRAMPTON, Complainant

VS.

a Minor

Respondent

I, Helen McDowell

as Register and Commissioner

have called and caused to come before me

Mrs. Eugenia Fincher

witness named in the Requirement for Oral Examination, on the 19th day of July

19 62, at the office of Thompson & White

in Bay Minette, Alabama, and having first sworn said Witness es to speak the truth,

the whole truth, and nothing but the truth, and said. Mrs. Eugenia Fincher

doth depose and say as follows:

SEE ATTACHED SHEET

ORAL EXAMINATION

I, Helen McDowell, as Register and Commissioner hereby certify that the foregoing deposition<sup>S</sup> on Oral Examination was taken down by me in writing in the words of the witness<sup>S</sup> and read over to her and she signed the same in the presence of myself C. LeNoir Thompson, Mary Thompson & Phyllis S. Nesbit

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness<sup>S</sup> or had proom made before me of the identity of said witness<sup>S</sup>; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 19th day of July, 19 62

Helen McDowell (L. S.)

Oral Deposition

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

The State of Alabama  
Baldwin County

In Circuit Court, In Equity

VS. Complainant

Respondent

Filed \_\_\_\_\_, 19 \_\_\_\_\_

Register

Recorded in

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register

IN ACCOUNT WITH

*Farmers & Merchants Bank*

FOLEY • ALABAMA

EUGENIA FINCHER AS GUARDIAN OF

NAME \_\_\_\_\_ ESTATE OF PAMELA FRAMPTON A MINOR

ADDRESS BOX 102  
LOXLEY, ALA.

STATEMENT OF YOUR ACCOUNT TO CLOSE OF BUSINESS

PLEASE EXAMINE AT ONCE. IF NO ERROR IS REPORTED IN TEN DAYS THE ACCOUNT WILL BE CONSIDERED CORRECT

CHECKS IN DETAIL	DEPOSITS	DATE	NO. CHECKS	BALANCE
BALANCE FORWARD 8-9				
42.37 -	500.00 +	OCT 3 '59 JAN 29 '60	1	500.00 * 457.63 *
(4636)				

THIS STATEMENT IS FURNISHED YOU INSTEAD OF BALANCING YOUR PASS BOOK. IT SAVES YOU THE TROUBLE OF BRINGING YOUR PASS BOOK TO THE BANK AND WAITING FOR IT TO BE BALANCED. THESE STATEMENTS WILL BE FOUND VERY CONVENIENT TO CHECK UP AND FILE. ALL ITEMS ARE CREDITED SUBJECT TO FINAL PAYMENT.

USE YOUR PASS BOOK ONLY AS A RECEIPT BOOK WHEN MAKING DEPOSITS.

THE LAST AMOUNT IN THIS  
COLUMN IS YOUR BALANCE

## INVOICE

**Robertsdale Insurance Agency**

Grady P. (Jimmy) Gilbert Jr.

DATE June 23, 1962

**General Insurance — Surety Bonds  
Auto Loans**

To Estate of Pamela Frampton

Telephone Windsor 7-4282

P. O. Box 10

ROBERTSDALE, ALABAMA

**MORTGAGEE:**

RENEWAL DATE	POLICY NUMBER	COMPANY	PROPERTY AND COVERAGE	AMOUNT	PREMIUM
	S1212813	F&C	Guardian Bond, Mrs. Eugenia Fincher 2 years premiums  Paid in Full <i>Grady P. Gilbert Jr.</i> Agent		\$20.00

RNCI R.N.CO. PTD. IN U.S.A.

PREMIUMS DUE ON EFFECTIVE DATE OF POLICY