

IN THE MATTER OF THE SALE FOR DISTRIBUTION OF LANDS  
IN WHICH MINORS HAVE AN INTEREST AS TENANTS IN COMMON WITH ADULT  
OWNERS.

IN RE: LOTTIE WISE GUARDIAN	¶	IN THE CIRCUIT COURT OF
OF MINORS. PETITION TO CONFIRM	¶	BALDWIN COUNTY, ALABAMA
SALE.	¶	

IN THE MATTER OF THE APPLICATION OF LOTTIE WISE AS  
GUARDIAN OF WINTON WISE AND JEANETTE WISE, MINORS, TO JOIN IN THE  
SALE OF LAND FOR DIVISION ALONG WITH ADULT OWNERS.

Now comes Lottie Wise, Guardian of Winton Wise, a  
minor over the age of fourteen years and Jeanette Wise, a minor  
over the age of fourteen years, and filed in Court a Deed, subject  
to confirmation by the Court, of certain lands owned in the County  
of Escambia and State of Alabama by said wards jointly with Emma  
K. Wise, a widow; Harry A. Wise and wife Laura Wise; Owen F. Wise  
and wife Louise Wise; Roberta Wise Bray and husband Atlas Bray;  
Myrtice Wise Nall, a divorced woman; Lessie Wise, an unmarried wo-  
man; Mabel Wise Miller and husband George Miller; Arkie Wise an un-  
married woman; Mary Emma Wise Barron, a widow; Leo Wise Atkeison  
and husband Gordon Atkeison; Ulay K. Wise and wife Edith Wise;  
Eleanor B. Wise, an unmarried woman; Ralph S. Wise, an unmarried  
man; Anna Ruth Wise Vickery and husband A. L. Vickery; Merrill Wise  
and Priscilla Wise and Lottie Wise. Said report is in writing and  
is as follows:

IN RE: : IN THE CIRCUIT COURT OF  
ESTATE OF WINTON WISE AND : BALDWIN COUNTY, ALABAMA  
JEANETTE WISE, MINORS : IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, ALABAMA. SITTING IN EQUITY.

Comes Mrs. Lottie Wise as Guardian of Winton Wise and  
Jeanette Wise, minors, and respectfully shows unto Your Honor as  
follows:

ONE

That the Petitioner is over the age of twenty one years  
and resides near Robertsedale, Baldwin County, Alabama and that the  
said Winton Wise and Jeanette Wise are minors over the age of four-  
teen years and they reside with Your Petitioner in Baldwin County,  
Alabama. That on May 16, 1945 your Petitioner was appointed  
Guardian of the estates of Winton Wise and Jeanette Wise by decree  
of the Probate Court of Baldwin County, Alabama, and that she duly  
qualified as such guardian and is now acting in that capacity,  
said guardianship proceeding having been removed to this Court and  
being now therein administered.

TWO

That W. H. Wise died intestate in Escambia County,  
Alabama on or about the 14th day of January, 1944, seized and pos-  
sessed of the following real estate in Escambia County, Alabama,  
more particularly described as follows:

The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section One (1), in Township Two (2) North, Range Five (5) East, containing forty (40) acres, more or less; also the North Half of the Southwest Quarter of the Southeast Quarter (N $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section One (1) Township Two (2) North, Range Five (5) East, containing twenty (20) acres more or less, situated in Escambia County, Alabama, and also Lots numbers 10, 11 and 12 in Block 18 of the Deepwater Townsite Company's Subdivision of the South Half of the Northwest Quarter (S $\frac{1}{2}$  of NW $\frac{1}{4}$ ) of Section One (1), Township Two (2) North, Range Five (5) East, in the County of Escambia, State of Alabama,

and said property subject to the right of dower and/or homestead of Emma K. Wise, a widow, became vested in the heirs at law of W. H. Wise as follows: Harry A. Wise owns an undivided one fourteenth (1/14th) interest in said land; Owen F. Wise owns an undivided one fourteenth (1/14th) interest in said land; Roberta Wise Bray owns an undivided one fourteenth (1/14th) interest in said land; Myrtice Wise Nall owns an undivided one fourteenth (1/14th) interest in said land; Lessie Wise owns an undivided one fourteenth (1/14th) interest in said land; Mabel Wise Miller owns an undivided one fourteenth (1/14th) interest in said land; Arkie Wise owns an undivided one fourteenth (1/14th) interest in said land; Mary Emma Wise Barron owns an undivided one fourteenth (1/14th) interest in said land; Leo Wise Adkeison owns an undivided one fourteenth (1/14th) interest in said land; Eleanor B. Wise owns an undivided one fourteenth (1/14th) interest in said land; Ulay K. Wise owns an undivided one fourteenth (1/14th) interest in said land; Ralph S. Wise owns an undivided one fourteenth (1/14th) interest in said land; Anna Ruth Wise Vickery owns an undivided one fourteenth (1/14th) interest in said land; and that subject to the

right of dower and/or homestead of your Petitioner, Merrill Wise owns an undivided one forty second (1/42nd) interest in said land; Winton Wise owns and undivided one forty second (1/42nd) interest in said land and Jeanette Wise owns an undivided one forty second (1/42nd) interest in said land.

THREE

Your petitioner avers that there is no valid authority to sell the interest of the minors, Winton Wise and Jeanette Wise, vested in any person by the terms of any instrument under which said minors hold such interest, nor is such sale prohibited or restricted by any such instrument, and that the said minors are joint owners or tenants-in-common with the other heirs of W. H. Wise, deceased, subject to the dower and/or homestead rights of Emma K. Wise and your petitioner therein.

FOUR

Your petitioner as Guardian of Winton Wise and Jeanette Wise has within the past three months joined with the other adult tenants-in-common, namely, Harry A. Wise; Owen F. Wise; Roberta Wise Bray; Myrtice Wise Nall; Lessie Wise; Mabel Wise Miller; Arkie Wise; Mary Emma Wise Barron; Leo Wise Atkeison; Eleanor B. Wise; Ulay K. Wise; Ralph S. Wise; Anna Ruth Wise Vickery; Merrill Wise and Emma K. Wise and Lottie Wise in executing conveyances to W. E. Robinson and Cecil Neal, which said conveyances are hereto attached and marked exhibit "A" and exhibit "B" to this petition. The total purchase price of one parcel of land being one thousand

(\$1,000.00) DOLLARS, and the total purchase price of the other parcel of land being Two Thousand (\$2,000.00) DOLLARS.

FIVE

The names, residences and ages of said wards are as follows: Winton Wise, who is eighteen years of age, and Jeanette Wise, who is sixteen years of age, and each resides near Robertsdale in Baldwin County, Alabama, and each of them is in the custody of your petitioner, who is their legal guardian. The name and residence of the adult next of kin of said minors, resident in this State and not interested in such sale is: M. E. Nall, who resides at Lennox, Alabama.

SIX

Your petitioner avers that the price to be paid for the interest of said minors is the fair and reasonable value of their interest in said property, and that it would be to the best interest of said minors for said property to be sold, and further avers that it is to the best interest of said minors that she be permitted to join the adult tenants-in-common in a private sale of said land to the said W. E. Robinson and Cecil Neal as aforesaid, as the fractional interest of said minors will in all probability bring a far better price sold at such private sale than it would bring sold at public outcry.

The premises considered, petitioner prays that a day be set for the hearing of this report not less than twenty days from the filing thereof, and that notice be given to said minors and to the adult next of kin of such wards resident in this State and not

interested in such sale, by personal citation to be served not less than ten days before the day appointed for such hearing, and that such other notice be given as the Court may in its discretion see fit to order. That the Court appoint a Guardian Ad Litem to represent and protect the interests of said minors upon such hearing, and that on the day appointed for such hearing to hear the report and evidence of and against confirmation of said sale, and if satisfied that it be to the best interest of said minors, that it make and enter an order confirming the same and ordering and directing that the Petitioner join with the adult tenants-in-common in making a conveyance of the interest of said minors in the aforesaid land to W. E. Robinson and Cecil Neal upon receiving payment of the amount of the purchase price so agreed to be paid, and that it will make and enter such other, further and different orders as may be necessary and requisite for carrying out said sale.

Respectfully,

*Mrs Lottie Wise*

PEITIONER

THE STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for the State and County aforesaid, personally appeared Lottie Wise, who is known to me, and who, being by me first duly sworn, doth depose and say as follows: That the facts averred in the above petition are true and correct according to the best of her knowledge, information and belief.

*Mrs Lottie Wise*

Sworn to and subscribed before me, this 30th day of \_\_\_\_\_, 1945.

*Oran Max P. [Signature]*

It is therefore ordered by the Court that the 15<sup>th</sup> day of August, 1945, be, and the same is, appointed a day for hearing said report and it is further ordered that notice of this report and the day appointed for the hearing of the same be given to M. E. Nall, residing at Lennox, Conecuh County, Alabama, by personal service upon him not less than ten days prior to said 15<sup>th</sup> day of August, 1945. And it appearing that said minors, Winton Wise and Jeanette Wise are over the age of fourteen years and are residents of Alabama, and reside with and are in the custody of Lottie Wise; it is further ordered that notice of said report and of the day appointed for the hearing of same be given said minors, Winton Wise and Jeanette Wise, and to Lottie Wise, the parent in whose custody of said minor are, by citation served upon them personally, not less than ten days prior to the said 15<sup>th</sup> day of August, 1945, and it is further appearing to the Court that John Chason is a proper and suitable person to represent said minors as Guardian Ad Litem upon the hearing of said report, and the said minors having designated John Chason, a practising Attorney at Law residing at Bay Minette, Baldwin County, Alabama, by an instrument in writing to act as Guardian Ad Litem for them and in their behalf in this cause, it is ordered by the Court that John Chason, and he is hereby appointed Guardian Ad Litem to represent said minors, Winton Wise and Jeanette Wise, upon the hearing of said proceeding.

Done at Monroeville, Alabama, this the 21<sup>st</sup> day of July, 1945.

E. W. Hare  
JUDGE



the said Winton Wise having by instrument duly acknowledged by him accepted service of the said notice of the filing of the petition and the day set for the hearing of the same, and having nominated Honorable John Chason, a practicing attorney, at Bay Minette, Baldwin County, Alabama, as his guardian ad-litem, and the said Jeanette Wise having by instrument in writing duly acknowledged by her nominated Honorable John Chason, a practicing attorney, at Bay Minette, Baldwin County, Alabama, as her guardian ad-litem, and the said John Chason who is not of counsel or of kin to the said parties, and is no wise disqualified from acting as such, having been appointed as such guardian ad-litem by order of this Court to represent and protect the interest of said minors upon said hearing, and said guardian ad-litem having filed his consent in writing to act as such and having denied the allegations contained in said petition and appearing to contest the granting of same, and it being made known to the Court that the said Winton Wise is now a member of the Armed Forces of the United States of America, and as such entitled to the benefit of the Soldiers and Sailors Relief Act of 1940, as amended, the Court appointed Honorable J. B. Blackburn, a practicing attorney, at Bay Minette, Baldwin County, Alabama, to act as and for a Solicitor for the said Winton Wise and to fully protect all of his rights upon said hearing and in said matter, and said Solicitor having filed his consent in writing to act as such, having denied the allegations contained in said petition and appearing to contest the granting of same; now comes the petitioner and submits said matter for decree upon the verified petition or report of sale and upon testimony as noted by the Register.

Upon consideration of said matter, it appears to the satisfaction of the Court that such sale as made and reported by the guardian of said minors is to the best interest of said wards

and that said petition should be granted and that said sale is made upon a fair and adequate consideration should be in all things ratified and confirmed; and it being made further to appear to the Court that there is no valid authority to sell the interest of said minors vested in any person by the terms of any instrument under which said minors hold such their interest, nor is such sale prohibited or restricted by any such instrument, and that said minors are joint owners of said property as set out in said petition:

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the sale of the interest of the minors, Winton Wise and Jeanette Wise in and to the real estate as described in said petition and as hereinafter described, made by Lottie Wise as their guardian joining with the other adult tenants-in-common in selling said property to Alma Robinson and Cecil Neal at and for the total consideration of Three Thousand (\$3,000.00) Dollars, be and the same hereby is in all things RATIFIED, APPROVED AND CONFIRMED, and that when said guardian shall report that full payment has been made to her for the interest of said minors in such sale, said guardian shall join the other tenants-in-common as herein above set out in conveying to Alma Robinson and Cecil Neal the property hereby reported to have been sold and which property is situated in Escambia County, Alabama, and more particularly described as follows:

Lots numbers 10, 11, and 12 in Block 18 of the Deepwater Townsite Company's Subdivision of the South Half of the Northwest Quarter ( $S\frac{1}{2}$  of  $NW\frac{1}{4}$ ) of Section One (1), Township Two (2) North, Range Five (5) East, in the County of Escambia, State of Alabama, and also the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4}$  of  $SE\frac{1}{4}$ ) of Section One (1), in Township Two (2) North Range Five (5) East, containing Forty Acres (40), more or less; also the North Half of the Southwest Quarter of the Southeast Quarter ( $N\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $SE\frac{1}{4}$ ) of Section One (1) Township Two (2) North, Range Five (5) East, containing Twenty (20) Acres more or less, situated in Escambia County, Alabama,

It is further ordered that the adult owners and the guardian pay the costs of this procedure in accordance with the extent of the interest of each in the proceeds of the sale price of said lands, the amount paid by the guardian to be allowed her as a credit in settlement with said minors: and the fee of the guardian ad-litem is fixed by the Court at \$20.00, and the fee for the special Solicitor appointed to represent the interest of Winton Wise, on account of the fact that he is engaged in Military Service is fixed by the Court at \$25.00.

This 24<sup>th</sup> day of September, 1945.

*J. W. Hare*

Judge of the Circuit Court of  
Baldwin County, Alabama, Sitting  
In Equity.

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IN RE:

ESTATE OF WINTON WISE

AND JEANETTE WISE

MINORS

VS

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

PETITION OF LOTTIE WISE AS GUARDIAN OF SAID MINORS FOR AUTHORITY  
TO JOIN ADULT TENANTS-IN-COMMON IN SALE OF MINOR INTEREST IN  
REAL ESTATE

In this cause, Lottie Wise having filed in this court a report in writing and under oath, that she has received from Alma Robinson and Cecil Neal, the full amount to which the minor heirs, namely, Winton Wise and Jeanette Wise, are entitled, being the sum of One Hundred Forty Two and Eighty Two One Hundredths (\$142.82) Dollars, and said guardian having also submitted to the Court deeds to the said Alma Robinson and to Cecil Neal, executed by the adult tenants-in-common, and by herself as guardian of said minors conveying to the said Alma Robinson the following lands:

Lots numbers 10, 11 and 12 in Block 18 of the Deepwater Townsite Company's Subdivision of the South Half of the Northwest Quarter (S $\frac{1}{2}$  of NW $\frac{1}{4}$ ) of Section One (1), Township Two (2) North, Range Five (5) East,

and conveying to the said Cecil Neal the following lands:

The Southeast Quarter of Southeast Quarter (SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) and North Half of Southwest Quarter of Southeast Quarter (N $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ), Section One (1) Township Two (2) North of Range Five (5), East,

and praying that the Court endorse upon said deeds certification as required by law; and the Court being satisfied that payment has been paid for the interest of said minors and that the sale of the interest of said minors in said property has been duly confirmed and that such conveyance is properly made, does grant the prayer of said petition and does order and decree that the endorsement of the confirmation of said sale be made and entered upon each of said deeds under the seal of said Court.

This 24<sup>th</sup> day of September, 1945

J. W. Hale

JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA



1352

RECORDED  
INDEXED

2000 Aug 8 1945  
R. J. [Signature]  
R. J. [Signature]

W. W. [Signature]

CONFIDENTIAL

END OF SECTION SHEET AT 13522

REPRODUCTION OF THIS SHEET IS PROHIBITED

FOR THE USE OF THE NATIONAL ARCHIVES

REPRODUCTION OF THIS SHEET IS PROHIBITED

EXCEPT AS AUTHORIZED BY THE NATIONAL ARCHIVES

AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

OFFICE OF THE NATIONAL ARCHIVES

REPRODUCTION OF THIS SHEET IS PROHIBITED

EXCEPT AS AUTHORIZED BY THE NATIONAL ARCHIVES

OFFICE OF THE NATIONAL ARCHIVES



IN RE: : IN THE CIRCUIT COURT OF  
ESTATE OF WINTON WISE AND : BALDWIN COUNTY, ALABAMA  
JEANETTE WISE, MINORS : IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT  
OF BALDWIN COUNTY, ALABAMA. SITTING IN EQUITY.

Comes Mrs. Lottie Wise as Guardian of Winton Wise and  
Jeanette Wise, minors, and respectfully shows unto Your Honor as  
follows:

ONE

That the Petitioner is over the age of twenty one years  
and resides near Robertsedale, Baldwin County, Alabama and that the  
said Winton Wise and Jeanette Wise are minors over the age of  
fourteen years and they reside with Your Petitioner in Baldwin  
County, Alabama. That on May 16, 1945 your Petitioner was appoint-  
ed Guardian of the estates of Winton Wise and Jeanette Wise by de-  
cree of the Probate Court of Baldwin County, Alabama, and that she  
duly qualified as such guardian and is now acting in that capacity,  
said guardianship proceeding having been removed to this Court and  
being now therein administered.

TWO

That W. H. Wise died intestate in Escambia County,  
Alabama on or about the 14<sup>th</sup> day of January, 1944, seized and  
possessed of the following real estate in Escambia County, Alabama,  
more particularly described as follows:

The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section One (1), in Township Two (2) North, Range Five (5) East, containing forty (40) acres, more or less; also the North Half of the Southwest Quarter of the Southeast Quarter (N $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section One (1) Township Two (2) North, Range Five (5) East, containing twenty (20) acres more or less, situated in Escambia County, Alabama, and also Lots numbers 10, 11 and 12 in Block 18 of the Deepwater Townsite Company's Subdivision of the South Half of the Northwest Quarter (S $\frac{1}{2}$  of NW $\frac{1}{4}$ ) of Section One (1), Township Two (2) North, Range Five (5) East, in the County of Escambia, State of Alabama,

and said property subject to the right of dower and/or homestead of Emma K. Wise, a widow, became vested in the heirs at law of W. H. Wise as follows: Harry A. Wise owns an undivided one fourteenth (1/14th) interest in said land; Owen F. Wise owns an undivided one fourteenth (1/14th) interest in said land; Roberta Wise Bray owns an undivided one fourteenth (1/14th) interest in said land; Myrtice Wise Hall owns an undivided one fourteenth (1/14th) interest in said land; Lessie Wise owns an undivided one fourteenth (1/14th) interest in said land; Mabel Wise Miller own an undivided one fourteenth (1/14th) interest in said land; Arkie Wise owns an undivided one fourteenth (1/14th) interest in said land; Mary Emma Wise Barron owns an undivided one fourteenth (1/14th) interest in said land; Leo Wise Adkeison owns an undivided one fourteenth (1/14th) interest in said land; Eleanor B. Wise owns an undivided one fourteenth (1/14th) interest in said land; Ulay K. Wise owns an undivided one fourteenth (1/14th) interest in said land; Ralph S. Wise owns an undivided one fourteenth (1/14th) interest in said land; Anna Ruth Wise Vickery owns an undivided one fourteenth (1/14th) interest in said land; and that subject to the

right of dower and/or homestead of your Petitioner, Merrill Wise owns an undivided one forty second (1/42nd) interest in said land; Winton Wise owns an undivided one forty second (1/42nd) interest in said land and Jeanette Wise owns an undivided one forty second (1/42nd) interest In said land.

THREE

Your petitioner avers that there is no valid authority to sell the interest of the minors, Winton Wise and Jeanette Wise, vested in any person by the terms of any instrument under which said minors hold such interest, nor is such sale prohibited or restricted by any such instrument, and that the said minors are joint owners or tenants-in-common with the other heirs of W. H. Wise, deceased, subject to the dower and/or homestead rights of Emma K. Wise and your petitioner therein.

FOUR

Your petitioner as guardian of Winton Wise and Jeanette Wise has within the past three months joined with the other adult tenants-in-common, namely, Harry A. Wise; Owen F. Wise; Roberta Wise Bray; Myrtice Wise Nall; Lessie Wise; Mabel Wise Miller; Arkie Wise; Mary Emma Wise Barron; Leo Wise Atkeison; Eleanor B. Wise; Ulay K. Wise; Ralph S. Wise; Anna Ruth Wise Vickery; Merrill Wise and Emma K. Wise and Lottie Wise in executing conveyances to W. E. Robinson and Cecil Neal, which said conveyances are hereto attached and marked exhibit "A" and exhibit "B" to this petition. The Total purchase price of one parcel of land being One Thousand

(\$1,000.00) DOLLARS, and the total purchase price of the other parcel of land being Two Thousand (\$2,000.00) DOLLARS.

FIVE

The names, residences and ages of said wards are as follows: Winton Wise, who is eighteen years of age, and Jeanette Wise, who is sixteen years of age, and each resides near Robertsdale in Baldwin County, Alabama, and each of them is in the custody of your petitioner who is their legal guardian. The name and residence of the adult next of kin of said minors, resident in this State and not interested in such sale is: M. E. Nall, who resides at Lennox, Alabama.

SIX

Your petitioner avers that the price to be paid for the interest of said minors is the fair and reasonable value of their interest in said property, and that it would be to the best interest of said minors for said property to be sold, and further avers that it is to the best interest of said minors that she be permitted to join the adult tenants-in-common in a private sale of said land to the said W. E. Robinson and Cecil Neal as aforesaid, as the fractional interest of said minors will in all probability bring a far better price sold at such private sale than it would bring sold at public outcry.

The premises considered, petitioner prays that a day be set for the hearing of this report not less than twenty days from the filing thereof, and that notice be given to said minors and to the adult next of kin of such wards resident in this State and not

interested in such sale, by personal citation to be served not less than ten days before the day appointed for such hearing, and that such other notice be given as the Court may in its discretion see fit to order. That the Court appoint a Guardian ad litem to represent and protect the interests of said minors upon such hearing, and that on the day appointed for such hearing to hear the report and evidence for and against confirmation of said sale, and if satisfied that it is to be the best interest of said minors, that it make and enter an order confirming the same and ordering and directing that the petitioner join with the adult tenants-in-common in making a conveyance of the interest of said minors in the aforesaid land to W. E. Robinson and Cecil Neal upon receiving payment of the amount of the purchase price so agreed to be paid, and that it will make and enter such other, further and different orders as may be necessary and requisite for carrying out said sale.

Respectfully,

Mrs. Lottie Wise  
PETITIONER

THE STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for the State and County aforesaid, personally appeared Lottie Wise, who is known to me, and who, being by me first duly sworn, doth depose and say as follows: That the facts averred in the above petition are true and correct according to the best of her knowledge, information and belief.

Mrs. - Lottie Wise

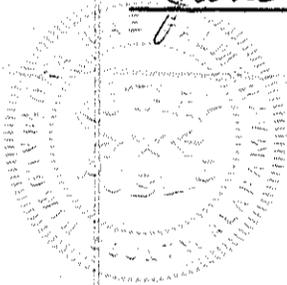
Sworn to and subscribed before me, this 30<sup>th</sup> day of

June

, 1945.

Ora Mae Palmer

My Commission Expires August 1947



The State of Alabama, {  
Baldwin County

PROBATE COURT

LETTERS OF GUARDIANSHIP OVER THE ESTATE OF

Winton Wise, a minor, 18 ~~years~~ ~~the age of fourteen years,~~

and Jeannette Wise, a minor, 16 ~~years~~ ~~the age of fourteen years,~~

\_\_\_\_\_, a minor, \_\_\_\_\_ ~~the age of fourteen years,~~

\_\_\_\_\_, a minor, \_\_\_\_\_ ~~the age of fourteen years,~~

\_\_\_\_\_, a minor, \_\_\_\_\_ ~~the age of fourteen years,~~

are hereby granted to Lottie Wise, who has duly qualified and given bond as required by law, and is authorized to discharge all the functions attached to said guardianship.

Dated this 16 day of May, A. D. 1945

Code 1923—Sec. 9595 W.R. Stewart, Judge of Probate

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

The State of Alabama  
BALDWIN COUNTY

PROBATE COURT

ESTATE OF

*Winton Wise, and*

*Jeannette Wise,*

*Minors*

Deceased.

LETTERS OF GUARDIANSHIP TO

*Lottie Wise*

*As Recd. & C  
at Page 329*

PETITION OF LETTERS OF GUARDIANSHIP

THE STATE OF ALABAMA

BALDWIN COUNTY

IN THE PROBATE COURT OF BALDWIN COUNTY, ALABAMA \_\_\_\_\_ TERM, 1945.

APRIL \_\_\_\_\_, 1945.

TO THE HONORABLE W. R. STUART

The undersigned, Lottie Wise, your petitioner, respectfully represents unto your Honor:

That Winton Wise is a minor, aged 18 years on the 11th day of February, 1944.

That Jeanette Wise is a minor, aged 16 years on the 14th day of November, 1943.

That the said minors have no father living, or other legal guardian residing in this State; that they are residents of this County, and have an estate in their own rights, situated in this State, which estate is estimated to be worth about One Hundred (\$100.00) DOLLARS; that your Petitioner, the mother of the said minors, and a resident of this State, and now prays Your Honor that she may be appointed Guardian of the estate of the said minors, Winton Wise and Jeanette Wise and upon her entering into bond in such a sum as is by law required, and with the security or securities to be approved by Your Honor.

Lottie Wise

THE STATE OF ALABAMA

BALDWIN COUNTY

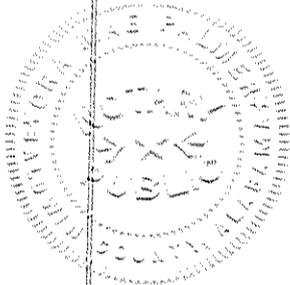
Lottie Wise being duly sworn, deposes and says that the facts averred in the above petition are true and correct according to the best of her knowledge, information and belief.

Lottie Wise

Sworn to and subscribed before me, this \_\_\_ day of \_\_\_\_\_, 1945.

\_\_\_\_\_  
JUDGE OF PROBATE

Sworn to and subscribed before me, this the 8th day of  
May \_\_\_\_\_, 1945.



Ora Mae Palmer  
Notary Public, Baldwin County,  
Alabama

My Commission Expires August 1947

GUARDIAN'S BOND

THE STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, that we, Lottie Wise, Ora Mae Palmer and W. L. Hemmard are held and firmly bound unto the Judge of Probate of said County of Baldwin, State of Alabama, in the penal sum of Two Hundred (\$200.00) DOLLARS, for the payment of which well and truly to be made we jointly and severally bind ourselves, our executors and administrators.

Sealed with our seals this 8<sup>th</sup> day of May, 1945.

The condition of the above obligation is such, that whereas, Lottie Wise has applied to the Judge of Probate of Baldwin County, Alabama, for letters of guardianship upon the property of Winton Wise and Jeanette Wise, minors.

Now, therefore, if the said Lottie Wise shall faithfully perform all the duties which are or may be required of her by law in the premises, then this obligation shall be null and void, otherwise to be and remain of full force and effect.

Lottie Wise (SEAL)

Ora Mae Palmer (SEAL)

W. L. Hemmard (SEAL)

Taken and approved this 16 day of May, A. D., 1945.

W. R. Stuart  
JUDGE OF PROBATE, BALDWIN COUNTY,  
ALABAMA.

Book

Rec'd Record N  
at Page 329

Filed in office of  
Judge of Probate Court  
Belmont Co. Ohio  
1945  
W. R. Stewart  
Judge  
By J. S. [unclear]

ESTATE OF WINTON WISE AND           :     IN THE CIRCUIT COURT OF  
JEANETTE WISE, MINORS               :     BALDWIN COUNTY, ALABAMA

TO THE HONORABLE FRANCIS W. HARE, JUDGE OF THE TWENTY  
FIRST JUDICIAL CIRCUIT OF THE STATE OF ALABAMA, COUNTY OF BALDWIN.

1.           That she is over the age of twenty one (21) years and  
resides in Baldwin County, Alabama.

2.           That she is guardian of the estate of Winton Wise and  
Jeanette Wise, minors, duly appointed and qualified in and by the  
Probate Court of Baldwin County, Alabama; that no proceedings have  
been instituted to the final settlement of said cause in said Pro-  
bate Court; that in the opinion of your petitioner said estate can  
better be administered in a Court of Chancery than in said Probate  
Court.

Wherefore petitioner prays that Your Honor will make  
such orders and decrees as may be meet and proper to remove said  
cause from said Probate Court of Baldwin County, Alabama, to this  
Honorable Court, Sitting in Equity.

And petitioner will ever pray, etc., etc..

Mrs. Lottie Wise  
PETITIONER

THE STATE OF ALABAMA

BALDWIN COUNTY

Before me Ora Mae Palmer a Notary  
Public in and for said County and State personally appeared  
LOTTIE WISE, who, being by me first duly sworn deposes and says  
that the statements contained in the foregoing petition are true  
to the best of her knowledge, information and belief.

Mrs. Lottie Wise.

PEITIONER

Sworn to and subscribed before me this 7<sup>th</sup> day of  
June, 1945.

Ora Mae Palmer.

Notary Public

My Commission Expires August 1947



ORDER

ESTATE OF WINTON WISE AND	:	IN THE CIRCUIT COURT OF
	:	
JEANETTE WISE, MINORS	:	BALDWIN COUNTY, ALABAMA
	:	
	:	IN EQUITY.
	:	

It is ordered by the Court and by me as Judge of the Circuit Court, that the petition in this cause be and the same is hereby granted and that the Probate Court of Baldwin County, Alabama, transmit to the Circuit Court of Baldwin County, Alabama, a certified transcript of all proceedings had in said Court and all papers and documents filed in said Court relating to the administration of the estate of Winton Wise and Jeanette Wise, minors, be removed from the Probate Court of Baldwin County, Alabama, and that the Circuit Court of Baldwin County, Alabama, take jurisdiction of said estate.

Done at Monroeville, Alabama, this the 14th day of June, 1945

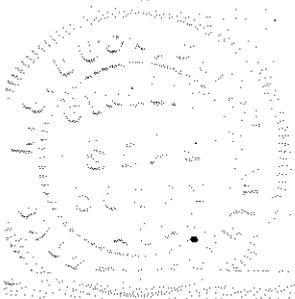
F. W. Hare

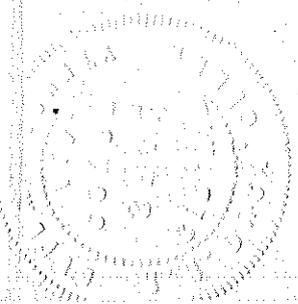
\*\*\*\*\*~~F. W. Hare~~\*\*\*\*\*

Judge of The Circuit Court of  
Baldwin County Alabama.

I, R.S. Duck register of the Circuit Court of Baldwin County, Alabama, hereby certify that the foregoing is a true and correct copy of the original order rendered by the Judge of said Court in the above stated cause, which original is enrolled and on file in my office.

  
Register Circuit Court Baldwin.  
County, Alabama. in Equity





UNITED STATES DEPARTMENT OF AGRICULTURE  
BUREAU OF PLANT INDUSTRY  
WASHINGTON, D. C.

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UNITED STATES DEPARTMENT OF AGRICULTURE  
BUREAU OF PLANT INDUSTRY  
WASHINGTON, D. C.

*Filed January 15  
1945  
W. B. [Signature]  
[Signature]  
[Signature]*

UNITED STATES DEPARTMENT OF AGRICULTURE  
BUREAU OF PLANT INDUSTRY  
WASHINGTON, D. C.

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UNITED STATES DEPARTMENT OF AGRICULTURE  
BUREAU OF PLANT INDUSTRY  
WASHINGTON, D. C.

ESTATE OF WINTON WISE AND  
JEANETTE WISE, MINORS.

IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA.

On the order of Hon. F.W.Hare, Judge of the Circuit Court of Baldwin County, Alabama, It is Ordered, Adjudged and Decreed by the Court, that File #2198, Winton Wise and Jeanette Wise, Minors, with all petitions, orders and documents contained therein be and is transferred from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama.

Done this June 16, 1945.

*WR Stewart*  
Judge of Probate.

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1352

~~2000~~ June 16/1945  
Perennial  
Pey

LAW OFFICES OF  
HORNE & HODNETTE  
ATMORE, ALABAMA

FRANK G. HORNE  
ROBERT E. HODNETTE

May 12, 1945.

Hon. W. R. STUART,  
Judge of Probate,  
Bay Minette, Alabama.

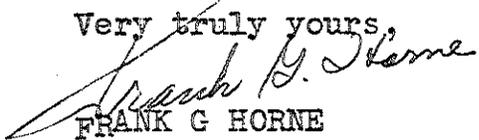
Dear Judge Stuart:

You will find enclosed a petition for letters of guardianship in favor of Mrs. Lottie Wise for certain Minors mentioned therein.

You will also find a bond for \$200.00 and this should be sufficient as the only property owned by these minors is  $2/3$  of a one-fourteenth interest in and to about \$3000.00 worth of real property.

If you find the papers in order and the bond sufficient you may mail the letters to me at atmore.

Very truly yours,

  
FRANK G HORNE

The State of Alabama, {  
Baldwin County

PROBATE COURT

In the Matter of the Estate of Winters Wise, Jennette Wise Minor s

And now, on this day comes Lottie Wise

and presents to the Court her petition in writing, under oath, praying that Letters of Guardianship on the person L and estate of

- Winters Wise a minor 18 years of age,
- Jennette Wise a minor 16 years of age,
- \_\_\_\_\_ a minor \_\_\_\_\_ years of age,

issued to her, which petition is examined by the Court and ordered to be filed and recorded. ~~And also comes~~

~~minor as aforesaid, over the age of fourteen years, and present to the Court nomination of the said \_\_\_\_\_ for \_\_\_\_\_ Guardian. And it appearing to the Court from the allegations of the said petition and from other good and sufficient evidence that said petitioner is the mother of said minors, who is a resident of this County and whose father is dead; that said minors have an estate in their own right amounting to about Two Hundred Dollars, and situated in this State; that said petitioner is over the age of twenty-one years, an inhabitant of this State, and a fit person under the law and in the estimation of the Court to serve as such Guardian of said minors, and no person having appeared to oppose the granting of Letters of Guardianship to said petitioner or to show cause why the prayer of petitioner should not be granted: It is ordered, adjudged, and decreed by the Court that the same be granted; provided that the said Lottie Wise first file in this Court her bond in the penal sum of 200<sup>00</sup> Dollars, conditioned and payable according to law and the statutes in such cases made and provided, with such sureties as may be approved by the Court.~~

And now again comes the said Lottie Wise and presents to the Court for approval her bond in due form as by this Court heretofore required, with

One Man Palmer & W. L. Hammond  
and \_\_\_\_\_ as her sureties thereon; and the Court being now sufficiently advised concerning said bond and said security, it is ordered, adjudged and decreed by the Court that said bond be taken, approved and recorded.

It is further ordered, adjudged and decreed by the Court that Letters of Guardianship on the person L and estate of the said minors be granted and issued to the said Lottie Wise

and that all the proceedings in this case be recorded.

W R Stewart  
Judge of Probate.

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

**THE STATE OF ALABAMA,  
Baldwin County.**

**PROBATE COURT**

ESTATE OF

Minor \_\_\_\_\_

**ORDER GRANTING LETTERS OF  
GUARDIANSHIP.**

Made \_\_\_\_\_ 19\_\_\_\_

Judge of Probate.

*5/16/40*

*Recorded  
Minutes Book  
Page 359*

Recorded in \_\_\_\_\_ Record

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

Judge of Probate.

No. 2196 In the Matter of Est. Winton Wise & Margaretta Wise, Minors

Lottie Wise

Administrator, Executor or Guardian. Residence \_\_\_\_\_

Attorneys Hedgcock & Horn

Docket \_\_\_\_\_ Page \_\_\_\_\_ Fee Book \_\_\_\_\_ Page \_\_\_\_\_

DATE	FEEES OF PROBATE JUDGE	AMOUNT	DATE	FEEES OF PROBATE JUDGE	AMOUNT
	<p><b>WILL—Order on Presentation, \$1.00</b>            Affidavit in Petition for Probate, 25c            Recording Petition, per 100 words, 15c            Issuing Citation, ent'g Sheriff's Returns, 50c            App'ting and Notifying Guard. ad Litem, 50c            Issuing Subpoenas for Witness, 50c            Affidavit of Witnesses, 25c            Examining Wit. and order Probating, \$2.00            Issuing Commission to take Deposition, 50c            Filing Interrogatories, 10c            Copy of same, per 100 words, 15c            Recording Will, per 100 words, 15c            Recording Testimony, per 100 words, 15c            Certificate, without seal, 25c            Certificate, with seal, 50c            Presiding at Trial C'nt'd Will, per day, \$2.50</p> <p><b>LETTERS—Affidavit in Petition, 25c</b>            Recording Petition, per 100 words, 15c            Rec'ding Rel. right to Adm'ner, 100 words, 15c            Granting Letters of Administration, 50c            Issuing and Recording same, 50c            Granting Let. of Gu'd'nship, each minor, 75c            Issuing, Filing and Recording same, 50c            Taking, App., Filing, Rec. Adm. Bonds, \$1.00            Taking, App. Filing, Guard. Bond, \$1.00            Affidavit of Justification, 25c            Granting Order of Appraisement, 50c            Issuing Order of Appraisement, 25c            Recording same, per 100 words, 15c            Order Removing Executor, Adm. Guard., \$2.00            Order Appointing General Guardian, \$1.00            Issuing and Recording same, 50c            Order Appointing General Administ'r., \$1.00            Issuing and Recording same, 50c            Order Appointing Adm'r ad Litem, \$1.00            Issuing and Recording same, 50c</p> <p><b>HOMESTEAD—Rec. Pet'n for Com., 100 words, 15c</b>            Record, Order for App., per 100 words, 15c            Recording Order for Com., per 100 words, 15c            Notice to Commissioners, 50c            Recording Report of Com., per 100 words, 15c            Record, Order Setting Apart, 100 words, 15c</p> <p><b>INVENTORY—Order to Approve and Record, 50c</b>            Affidavit to same, 25c            Recording same, per 100 words, 15c</p> <p><b>SUPPLEMENT INVENTORY—Order App., Rec., 50c</b>            Affidavit to same, 25c            Recording same, per 100 words, 15c            Recording Decree, per 100 words, 15c</p> <p><b>APPRAISEMENT—Order Approving, Rec., 50c</b>            Affidavit to same, 25c            Recording same, per 100 words, 15c</p> <p><b>SUPPLEMENT APPRAISEMENT—Grant, Order, 50c</b>            Issuing Order of Appraisement, 25c            Recording Warrant, per 100 words, 15c            Order to Approve Appraisement, 50c            Affidavit to same, 25c            Recording same, per 100 words, 15c            Recording Decree, per 100 words, 15c</p> <p><b>SALE OF PERISHABLE PROPERTY—Petition, 25c</b>            Recording same, per 100 words, 15c            Granting Order of Sale, 50c            Issuing Order of Sale, 25c            App'ting and Notifying Guard. ad Litem, 50c            Recording, per 100 words, 15c</p> <p><b>SALE OF PERSONAL PROPERTY—Petition, 25c</b>            Recording same, per 100 words, 15c            Granting Order of Sale, 50c            Issuing Order of Sale, 25c            Order to Publish Notice of Sale, 50c</p>	<p>50</p> <p>50</p> <p>50</p> <p>1.00</p> <p>2.50</p>		<p><b>BROUGHT FORWARD</b>            Affidavit to Report, 25c            Recording, per 100 words, 15c            Appointing Com'r to Divide, and Writ, \$2.00            Approving Division and Order thereon, \$1.00            App'ting and Notifying Guard. ad Litem, 50c</p> <p><b>PARTIAL SETTLEMENT—Affidavit in Acc't, 25c</b>            Affidavit to List of Heirs, 25c            Examining, Stating Acc't and Ap. Hear., \$1.00            Order to Publish Notice of Sale, 50c            App'ting and Notifying Guard. ad Litem, 50c            Examining Vouchers, 10c            Administering Affidavits, 25c            Making Decree and Order to Record, \$1.50            Recording same, per 100 words, 15c            Filing Claims and giving Receipt, 15c</p> <p><b>INSOLVENCY—Affidavit in Report, 25c</b>            Affidavit to Statements, 25c            Recording Rep't and Statem't, 100 words, 15c            Order Appointing Day of Hearing, 25c            Order to Publish Notice of same, 25c            Order for Citations, 25c            Iss'g Notice to Creditor Day of Hearing, 50c            Order Sustaining Report, 25c            Order for Settlement, 25c            Order to Publish Day of Settlement, 25c            Issuing Notice of Day of Settlement, 25c            Affidavit to Amount of Claims, 25c            App'ting and Notifying Guard. ad Litem, 50c</p> <p><b>SALE OF REAL ESTATE—Affidavit in Petition, 25c</b>            Recording Petition, per 100 words, 15c            Order App't'g Day of Hear. and Notice, \$1.00            Order to Publish Notice of same, 50c            Issuing Citations, Ent'g Sheriff's Return, 50c            App'ting and Notifying Guard. ad Litem, 50c            Issuing Commission to take Deposition, 50c            Filing Interrogatories, 10c            Copy of Interrogatories, per 100 words, 15c            App't'g Com. to Divide and Issue Writ, \$2.00            Affidavit to Report of Same, 25c            Order Approving Division and Report, \$1.00            Recording same, per 100 words, 15c            Hearing Applic'n for Dower, Iss'g Writ, \$4.00            Exam'g Testim'y and Grant Ord'r to Sell, \$2.00            Recording Depositions, per 100 words, 15c            Record. Reliq'm't of Dower, 100 words, 15c            Recording Report, per 100 words, 15c            Rec. Paym't Purchase Money, 100 words, 15c            Making Order on Report of Sale of Land, 75c            Hear Ap'n to Compel Conveyance, etc., \$2.00</p> <p><b>FINAL SETTLEMENT—Affidavit in Account, 25c</b>            Affidavit to Statement of Heirs, 25c            Exam'g, Stating and Recording Acc't, \$1.00            Order to Publish Notice of same, 50c            App'ting and Notifying Guard. ad Litem, 50c            Examining Vouchers, 10c            Administering Affidavits, 25c            Recording same, per 100 words, 15c            Decree in Final Settlement, 50c</p> <p><b>SPECIAL PROCEEDINGS—Proceedings for Declara-            tion of Unsound Mind and App. Guard. ad            Litem, \$5.00</b>            Recording Decree Relieving Minors, etc., \$1.00            Proceed to Perpetuate Testimony, per 100            words, 20c            Other Services Relating Thereto, 75c            Record. Pro'dings Bind'r Out Appren., \$1.00</p>	
	CARRIED FORWARD.			Total Probate Judge's Fees.	

No. ....

# The State of Alabama

COUNTY .....

## PROBATE COURT

IN THE MATTER OF

### PROBATE FEE BILL

RECEIVED OF

Dollars .....

in Payment of the above, this

day of ..... 19.....

Judge of Probate.

DATE	FEES OF SHERIFF	AMOUNT	DATE	FEES OF WITNESSES	AMOUNT
	Serving and Returning Citations. @ \$ .65				
	Serving Witness, @ .65				
	Collecting Execution for Cost, 1 50				
	Serving Application to Perpetuate Testimony, 1 00				
	Impaneling Jury, 75				
	Serving Notices, @ .65				
	Summoning Jury Dower, per day, 5 00				
	Serving Writs, @ 1 50				
	Sheriff's Commission,				
	<b>FEES OF PRINTER</b>				
	<b>FEES OF GUARDIAN AD LITEM</b>				
	<b>FEES OF COMMISSIONERS</b>				
				I have Received the Amount Opposite my Name.	

IN RE: ESTATE OF WINTON WISE AND JEANETTE WISE, MINORS.

Testimony taken in support of Petition of Lottie Wise, as Guardian of said minors, for authority to join adult tenants in common, in Sale of minors' interest in Real Estate by Circuit Court of Baldwin County, Alabama, In Equity.

Testimony taken before R. S. Duck, Register of the Circuit Court of Baldwin County, Alabama, on August 17, 1945.

There being present Frank G. Horne, Attorney for Lottie Wise, as Guardian of Winton Wise and Jeanette Wise, and John Chason, as Guardian ad litem for said minors and J. B. Blackburn, Special Solicitor for the minor, Winton Wise.

DIRECT EXAMINATION OF MRS. LOTTIE WISE.

Q. You are Mrs. Lottie Wise?

A. Yes.

Q. You are over twenty-one years of age and call Baldwin County your home?

A. Yes.

Q. How old is your son, Winton Wise and how old is your daughter, Jeanette Wise?

A. Winton Wise is nineteen years of age and Jeanette Wise is seventeen years of age.

Q. Are these children in your custody and control?

A. Yes, however Winton is in the Army.

Q. Who was W. H. Wise?

A. My husband's father and grandfather of my children.

Q. Is he living or dead?

A. Dead.

Q. At the time of his death did he have other heirs than your children?

A. Thirteen other heirs besides my children.

Q. He also left surviving a widow?

A. Yes.

Q. Did your husband die before Mr. Wise?

A. My husband died before Mr. W. H. Wise.

Q. Did W. H. Wise leave any property, real estate, in Escambia County, Alabama?

A. He did.

Q. Do you know what property he owned at the time of his death in Escambia County?

A. I don't know what other property he had but I do know that he owned Lots 10, 11 & 12 in Block 18 of the Deep Water Townsite Company's sub-division in Escambia County and the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and the N $\frac{1}{2}$  of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 1, Township 2 North, Range 5 East.

Q. In what community does that land lie?

A. In and near Mc Collough.

Q. That land is owned as set out in your petition, is it not?

A. Yes.

Q. That is not your homestead nor that of your children?

A. No.

Q. Have you bargained to sell the interest of the minors in that land to anyone or have you contracted to sell the land to anyone?

A. Yes.

Q. Who are the people you have contracted to sell to?

A. The farm land approximately sixty acres to Cecil Neel and the Townsite Lots to Mr. E. W. Robinson.

Q. What is the total purchase price to be paid to them?

A. Cecil Neel - \$2000.00, E. W. Robinson - \$1000.00 or a total of \$3000.00.

Q. In your opinion is that the fair and reasonable market value of these lands and lots?

A. Yes.

Q. Is there any written instrument forbidding you to sell this land?

A. No.

Q. Any written instrument authorizing you to sell said land?

A. No.

Q. In your opinion would the property bring more at a private sale than it would at a public sale?

A. I would think so.

Q. You consider the price being paid for the land a good price for the land?

A. Yes.

CROSS-EXAMINATION BY JOHN CHASON, GUARDIAN AD LITEM.

Q. Are these minors getting any Revenue out of this land at this time?

A. No.

Q. You say you think this is to the best interest of the minors to sell this land as you have contracted to sell it?

A. Yes.

Q. I believe that you stated that part of the land was Town Lots and a part of it farm land. Is the price that you are getting about equal to about what other land has sold for in that locality?

A. Yes.

Q. Do you have any developments for oil or gas in the immediate vicinity of this land at this time?

A. No.

CROSS-EXAMINATION OF J. B. BLACKBURN,  
SPECIAL SOLICITOR FOR WINTON WISE.

Q. Mrs. Wise does your son know about this sale?

A. Yes.

Q. Is he satisfied with it?

A. Yes.

Q. Does his being in the Military Service prevent in any way his being properly represented in this case?

A. No.

Q. In your opinion he is fairly protected even though he is in the Military Service?

A. Yes.

Q. And you are convinced that the sale is to his best interest?

A. Yes.

TESTIMONY OF MR. L. H. DRISKELL

Q. Your name is L. H. Driskell?

A. Yes.

Q. Where do you live?

A. Mc Collough.

Q. Did you know W. H. Wise in his lifetime?

A. Yes.

Q. Do you know his wife, children and grandchildren?

A. Yes.

Q. Are you related to them in any manner?

A. No.

Q. Do you know the property he owned at the time of his death?

A. Yes.

Q. Do you live near that property?

A. Yes.

Q. Are you well acquainted with that property?

A. Yes.

Q. How close do you live to it?

A. I have been renting one of the buildings for twelve or fifteen years and I live about one mile from the farm land.

Q. What in your opinion is the reasonable market value of the Lots?

A. The Lots are worth from \$800.00 to \$1000.00.

Q. What in your opinion is the value of the farm land?

A. The farm land is worth from \$1800.00 to \$2000.00.

Q. Do you think that a private sale of this property would be better than a public auction?

A. Yes, I think you would realize more at a private sale than at a public auction.

CROSS-EXAMINATION BY JOHN CHASON, GUARDIAN AD LITEM.

Q. Mr. Driskell, you don't think that if a public sale was had and considerable advertisement done that they could get any more for the property than they will get in this private sale?

A. I don't think they could.

Q. Do you think this better for these two minors to sell their interest at this time or do you think they should continue to own their interest until some later time?

A. Under the conditions I think it is better to sell now.

Q. You don't know of any oil developments that will be near this land in the near future?

A. No.

CROSS-EXAMINATION OF J. B. BLACKBURN, SPECIAL SOLICITOR.

Q. Mr. Driskell, is it your opinion that it is to the best interest of this boy, Winton, that this property be sold for this price?

A. I would say yes.

TESTIMONY OF MR. J. H. DAY.

Q. Is this Mr. J. H. Day?

A. Yes.

Q. Where do you live?

A. Mc Collough.

Q. Did you know Mr. W. H. Wise in his lifetime?

A. Yes.

Q. Is he living or dead?

A. He is dead.

Q. Did you know his widow and children?

A. Yes.

Q. Are you acquainted with his land?

A. Yes. farm land.

Q. All of his land?

A. Yes.

Q. What would you say was the market value of his Lots 10, 11 & 12 in Block 18.

A. \$1000.00.

Q. Do you know his farm land?

A. Yes.

Q. How many acres are there in that farm?

A. Forty and Twenty.

Q. Do you know the value of that farm?

A. \$2000.00.

Q. Is that about what land is selling for, the lands comparable to that land?

A. Yes, some bring more but this land sets way back.

CROSS-EXAMINATION OF JOHN CHASON, GUARDIAN AD LITEM.

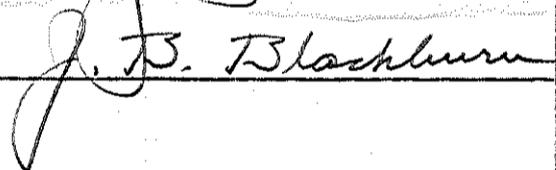
Q. Do you think that it is for the best interest of these two minors to sell their interest in this land at this time to these parties for the price they are getting?

A. Yes.

It is hereby stipulated and agreed by and between the parties hereto by their respective Solicitors, that is to say, Frank G. Horne, Solicitor for Petitioner, John Chason, Guardian ad litem for Minors and J. B. Blackburn, special Solicitor, appointed to represent the interest of the minor, Winton Wise, that the signing of the Testimony by the Witnesses be waived.

It is further stipulated and agreed that a Guardian ad litem fee in this cause be \$20.00, and the fee to be paid the special Solicitor \$25.00, all of which is to be taxed as a part of the cost in this cause.

Dated this 17th day of August, 1945.

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

1852

Estate of White  
Miss & Co

Isidore Zuber  
Bank the Register

LAW OFFICES OF  
HORNE & HODNETTE  
ATMORE, ALABAMA

FRANK G. HORNE  
ROBERT E. HODNETTE

September 21, 1945

Hon. F. W. Hare  
Circuit Judge  
Monroeville, Alabama

Dear Judge Hare:

Enclosed you will find the  
missing page in the Wiss matter.

I prepared this to send to  
you and was getting ready to go  
to New Orleans all at the same  
time and I hope you will forgive  
me for my oversight in this matter.

I hope that all is well with  
you, and I am, with best wishes,

Your friend,

HORNE & HODNETTE

By:

*Frank G. Horne*

FGH:alf  
Enc.

*Handwritten notes:*  
Frank P. C.  
L. J. ...  
...  
11-25-45

RE: PETITION OF GUARDIAN TO HAVE SALE FOR DISTRIBUTION OF LANDS IN WHICH MINORS HAVE AN INTEREST AS TENANTS IN COMMON WITH ADULT OWNERS, CONFIRMED.

PETITION OF GUARDIAN,  
LOTTIE WISE, OF WINTON  
WISE AND JEANETTE WISE,  
MINORS, TO CONFIRM SALE FOR  
DISTRIBUTION OF LANDS IN WHICH  
MINORS HAVE AN INTEREST AS TENANTS  
IN COMMON WITH ADULT OWNERS.

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

NOTICE

TO WINTON WISE AND JEANETTE WISE, MINORS OVER THE AGE OF FOURTEEN YEARS, AND LOTTIE WISE AS PARENT HAVING CUSTODY OF SAID MINORS, AND TO LOTTIE WISE AS GUARDIAN OF SAID MINORS.

You are hereby notified that by virtue of an order of the Circuit Court issued on the 21st day of July, 1945, a petition of Lottie Wise, as Guardian of Winton Wise and Jeanette Wise, minors, has been set down for hearing on the 15th day of August, 1945.

Dated this 23rd day of July, 1945.

R. J. ...  
REGISTER

*Handwritten signature*

DEPT. OF JUSTICE, WASHINGTON, D.C.

REPLY

MINORS ARE BEING HELD FOR THE PURPOSE OF IDENTIFYING THE INDIVIDUALS WHOSE NAMES ARE BEING LISTED IN THE ATTACHED REPORT AND WHOSE NAMES ARE BEING LISTED IN THE ATTACHED REPORT AS BEING ASSOCIATED WITH THE SUBJECTS OF THE REPORT. THE NAMES OF THE INDIVIDUALS WHOSE NAMES ARE BEING LISTED IN THE ATTACHED REPORT AS BEING ASSOCIATED WITH THE SUBJECTS OF THE REPORT ARE BEING LISTED IN THE ATTACHED REPORT AS BEING ASSOCIATED WITH THE SUBJECTS OF THE REPORT.

NO. 100

IN CONNECTION WITH THE ABOVE MENTIONED MATTER, THE FOLLOWING INDIVIDUALS ARE BEING LISTED AS BEING ASSOCIATED WITH THE SUBJECTS OF THE REPORT:

INDIVIDUALS WHOSE NAMES ARE BEING LISTED IN THE ATTACHED REPORT AS BEING ASSOCIATED WITH THE SUBJECTS OF THE REPORT ARE BEING LISTED IN THE ATTACHED REPORT AS BEING ASSOCIATED WITH THE SUBJECTS OF THE REPORT.

4-22-45  
Winton Wise  
not found  
in armed forces  
C. E. Garrett  
Sheriff

THE STATE OF

COUNTY OF

Before me, the undersigned authority in and for the State and County aforesaid, personally appeared Winton Wise, who is made known to me and who being by me first duly sworn doth depose and say as follows: That he is a minor over the age of eighteen years and that he and his sister, Jeanette Wise, are the owners of 2/42 of the following described properties:

The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section One (1), in Township Two (2) North, Range Five (5) East, containing forty (40) acres, more or less; also the North Half of the Southwest Quarter of the Southeast Quarter (N $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section One (1) Township Two (2) North, Range Five (5) East, containing twenty (20) acres more or less, situated in Escambia County, Alabama, and also Lots numbers 10, 11 and 12 in Block 18 of the Deepwater Townsite Company's Subdivision of the South Half of the Northwest Quarter (S $\frac{1}{2}$  of NW $\frac{1}{4}$ ) of Section One (1), Township Two (2) North, Range Five (5) East, in the County of Escambia, State of Alabama.

That his mother, Lottie Wise, who is also his legal Guardian, has made application to the Circuit Court of Baldwin County, Alabama to be permitted to join as Guardian in the execution of a deed conveying the interests of the said minors in and to the said land at and for the sum of Three Thousand (\$3,000.00) DOLLARS. That this is a fair value for the said land, or so he is informed and believes. He, therefore, requests that the Circuit Court of Baldwin County, Alabama will appoint, for him on account of the fact that he is at the present time engaged in the Military Service of the United States of America, a Solicitor to represent

him and look after his interests in this cause, whose duty it will be to see that the sale is, in all things, conducted fairly and that the land sells for an amount not greatly less than it is truly worth.

That he accepts service of the notice of the date set for the said hearing and he waives any and all other and further notices required to be served upon him in person.

Winton C. Wise

Sworn to and subscribed before me, this 10 day of

July, 1945.

Myron Polshy 1st Lt. A.C.  
Summary Court Officer

1352

THE ESTATE OF WINSTON WISE  
and Jeanette Wise, Minors

Petition for Court  
to Appoint Solicitor

RECORDED

Filed July 18th 1945

  
Register.

NOTICE TO THE HONORABLE J.B. BLACKBURN, ATTORNEY  
BAY MINETTE, ALABAMA.

IN RE:	¶	IN THE
WINSTON WISE AND JEANETTE WISE,	¶	CIRCUIT COURT OF BALDWIN
Minors.	¶	COUNTY, ALABAMA.

You are hereby notified that by virtue of an order of the Circuit Court, issued on the 2nd day of August, 1945, you were appointed Solicitor to represent the interest of the said Winston Wise in this proceeding.

You are further notified that by virtue of an order of the Circuit Court, issued on the 1st day of July, 1945, a petition of Lottie Wise as guardian of Winston Wise and Jeanette Wise, Minors, has been set down for hearing on the 15th day of August, 1945, dated this 8th day of August, 1945.

  
Register

1189

RECORDED

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8-8-15  
Copy of  
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ESTATE OF  
WINTON WISE, ET AL

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 1352.

ANSWER

Now comes the Respondent, Winton Wise, a member of the armed forces of the United States, by J. B. Blackburn, the Solicitor appointed to represent him in this cause, and for answer to the Petition filed in this cause to sell lands in which the said Respondent is interested, says:

1. Respondent denies each and all of the allegations contained in the said Petition and demands strict proof thereof.

WINTON WISE,

By

J. B. Blackburn

As his Solicitor of Record.

ANSWER

ESTATE OF

WINTON WISE, ET AL

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 1352

ESTATE OF  
WINTON WISE, ET AL

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 1352.

ANSWER

Now comes the Respondent, Winton Wise, a member of the armed forces of the United States, by J. B. Blackburn, the Solicitor appointed to represent him in this cause, and for answer to the Petition filed in this cause to sell lands in which the said Respondent is interested, says:

1. Respondent denies each and all of the allegations contained in the said Petition and demands strict proof thereof.

WINTON WISE,

By \_\_\_\_\_

As his Solicitor of Record.

RE: PETITION OF GUARDIAN TO HAVE SALE FOR DISTRI -  
BUTION OF LANDS IN WHICH MINORS HAVE AN INTEREST AS TENANTS IN  
COMMON WITH ADULT OWNERS, CONFIRMED.

PETITION OF GUARDIAN,  
LOTTIE WISE, OF WINTON  
WISE AND JEANETTE WISE,  
MINORS, TO CONFIRM SALE FOR  
DISTRIBUTION OF LANDS IN WHICH  
MINORS HAVE AN INTEREST AS TENANTS  
IN COMMON WITH ADULT OWNERS.

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¶

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

TO M. E. NALL, AS NEXT OF KIN OF WINTON WISE AND  
JEANETTE WISE, MINORS.

You are hereby notified that by virtue of an order of  
the Circuit Court issued on the 21st day of July, 1945,  
a petition of Lottie Wise, as Guardian of Winton Wise and Jeanette  
Wise, minors, has been set down for hearing on the 15th day of  
August, 1945.

Dated this 23rd day of July, 1945.

  
REGISTER

1352

Estate of Winton Wise  
and Jeanette Wise, Minors

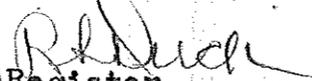
Notice.

RECORDED

Executed this the 24th, day of  
July, 1945, by serving copy  
of the within notice on M. E.  
Nall.

  
W. A. Moore, Sheriff  
Conecuh County, Ala.,

Issued July 23rd 1945

  
Register

RE: PETITION OF GUARDIAN TO HAVE SALE FOR DISTRIBUTION OF LANDS IN WHICH MINORS HAVE AN INTEREST AS TENANTS IN COMMON WITH ADULT OWNERS, CONFIRMED.

PETITION OF GUARDIAN,  
LOTTIE WISE, OF WINTON  
WISE AND JEANETTE WISE,  
MINORS, TO CONFIRM SALE FOR  
DISTRIBUTION OF LANDS IN WHICH  
MINORS HAVE AN INTEREST AS TENANTS  
IN COMMON WITH ADULT OWNERS.

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

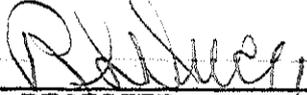
NO. 1353

NOTICE

TO WINTON WISE AND JEANETTE WISE, MINORS OVER THE AGE OF FOURTEEN YEARS, AND LOTTIE WISE AS PARENT HAVING CUSTODY OF SAID MINORS, AND TO LOTTIE WISE AS GUARDIAN OF SAID MINORS.

You are hereby notified that by virtue of an order of the Circuit Court issued on the 21st day of July, 1945, a petition of Lottie Wise, as Guardian of Winton Wise and Jeanette Wise, minors, has been set down for hearing on the 15th day of August, 1945.

Dated this 23rd day of July, 1945.

  
REGISTER

1352

Executed July 27 1945  
by serving copy of within Summons and  
Complaint on

Estate of Winton Wise and  
Jeanette Wise, Minors

Lottie Wise  
Jeanette Wise  
P. E. Barrett Sheriff  
By \_\_\_\_\_ Deputy Sheriff

RECORDED

Notice

Issued July 23rd. 1945

R. Deed  
Register,

APPOINTMENT OF GUARDIAN AD LITEM BY MINOR OVER FOURTEEN YEARS OF AGE

STATE OF ALABAMA            X            IN THE CIRCUIT COURT OF BALDWIN  
BALDWIN COUNTY            X            COUNTY, ALABAMA.

RE: PETITION OF LOTTIE WISE AS GUARDIAN OF THE ESTATE OF JEANETTE WISE, MINOR, TO ENTER WITH ADULT TENANTS IN COMMON IN SELLING REALTY.

I, Jeanette Wise, a minor over the age of Fourteen years, named in the petition filed in the above styled cause, do hereby designate and appoint Honorable John Chason of Bay Minette, Alabama, who is a practicing attorney, as my guardian ad litem to represent me in this cause.

This the 30<sup>th</sup> day of January, 1945.

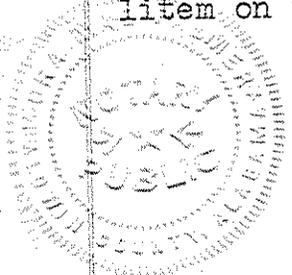
Jeanette Wise

STATE OF ALABAMA  
BALDWIN COUNTY

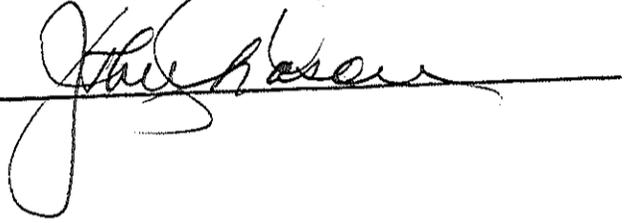
I, Ora Mae Palmer a Notary Public in and for said County and State hereby certify that Jeanette Wise who is a minor over the age of Fourteen years, acknowledged before me this day that she executed the foregoing appointment of guardian ad litem on the day it bears date.

Ora Mae Palmer  
Notary Public

My Commission Expires August 1947



I, John Chason, practising Attorney at Law of Bay  
Minette, Baldwin County, Alabama, do hereby accept the appointment  
of the above named Jeanette Wise and do agree to act as Guardian  
Ad Litem for her in the matter of the sale of property in which  
she has an interest as a tenant in common with adult owners.

A handwritten signature in cursive script, appearing to read "John Chason", is written over a horizontal line.

APPOINTMENT OF GUARDIAN AD LITEM BY MINOR OVER FOURTEEN YEARS OF AGE

STATE OF ALABAMA            §       IN THE CIRCUIT COURT OF BALDWIN  
BALDWIN COUNTY            §       COUNTY, ALABAMA.

RE:  PETITION OF LOTTIE WISE AS GUARDIAN OF THE ESTATE OF WINTON WISE, MINOR, TO ENTER WITH ADULT TENANTS IN COMMON IN SELLING REALTY.

I, Winton Wise, a minor over the age of Fourteen years, named in the petition filed in the above styled cause, do hereby designate and appoint Honorable John Chason of Bay Minette, Alabama, who is a practicing attorney, as my guardian ad litem to represent me in this cause.

This the 27th day of June, 1945

Winton Wise

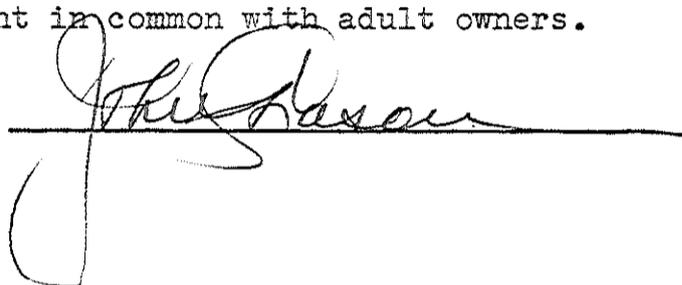
STATE OF ~~ALABAMA~~ VIRGINIA  
ELIZABETH CITY COUNTY  
~~BALDWIN COUNTY~~

I, Marjorie Canavan a Notary Public in and for said County and State hereby certify that Winton Wise who is a minor over fourteen years of age, acknowledged before me this day that he executed the foregoing appointment of guardian ad litem on the day it bears date.

Marjorie Canavan  
Notary Public

[NOTARY PUBLIC  
My Commission Expires March 28, 1947

I, John Chason, practising Attorney at Law of Bay  
Minette, Baldwin County, Alabama, do hereby accept the appointment  
of the above named Winton Wise and do agree to act as Guardian  
Ad Litme for him in the matter of the sale of property in which  
he has an interest as a tenant in common with adult owners.

  
\_\_\_\_\_

IN RE:  
ESTATE OF WINTON WISE  
AND JEANETTE WISE  
MINORS.

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

PETITION OF LOTTIE WISE AS GUARDIAN OF SAID MINORS FOR AUTHORITY  
TO JOIN ADULT TENANTS-IN-COMMON IN SALE OF MINOR INTEREST IN  
REAL ESTATE

TO THE HONORABLE FRANCIS W. HARE, CIRCUIT COURT  
OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes Lottie Wise, as guardian of Winton Wise  
and Jeanette Wise, and reports to Your Honor that she has received  
from Alma Robinson and Cecil Neil the sum of One Hundred Forty  
Two and Eighty Four One Hundredth (\$142.84) Dollars which is  
the amount due jointly to her two wards and is the full share  
to which said minors are jointly entitled.

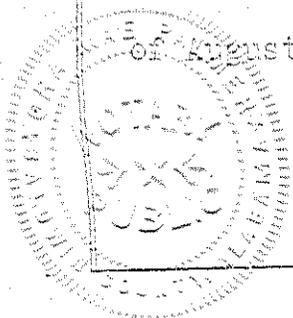
Your petitioner submits herewith deeds signed by  
her and the other adult tenants-in-common and also by herself  
as guardian of said wards, and prays the Court that it will endorse  
upon such deeds certificate under the seal of said Court that  
said sale of the interest of said minors has been confirmed and  
said conveyance is properly made and a confirmation of these con-  
veyances as made.

*Mrs. Lottie Wise Guardian*  
AS GUARDIAN OF WINTON WISE AND  
JEANETTE WISE

Subscribed and sworn to before me this 21<sup>ST</sup> day  
of August, 1945.

*Orna Mae Palmer*

My Commission Expires August 1947

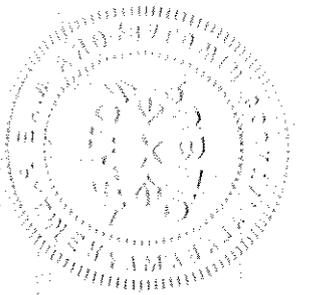


~~Amend Petition~~  
Report

RECORDED

RECORDED

Sept 1st 1945  
P. P. [unclear]  
P. [unclear]



IN RE: :  
ESTATE OF WINTON WISE :  
AND JEANETTE WISE :  
MINORS. :

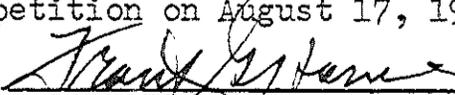
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.

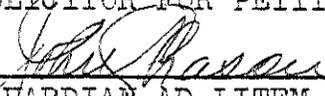
PETITION OF LOTTIE WISE AS GUARDIAN OF SAID MINORS FOR AUTHORITY  
TO JOIN ADULT TENANTS-IN-COMMON IN SALE OF MINOR INTEREST IN  
REAL ESTATE

STIPULATION

Now comes, Frank G. Horne, one of the Solicitors for the Petitioner, John Chason, Guardian ad litem for the Minors, Winton Wise and Jeanette Wise, J. B. Blackburn, special Solicitor appointed by the Court to represent the interest of Winton Wise, a minor, now in the Armed Forces of the United States of America, and do agree and stipulate as follows:

That through inadertence the name E. W. Robinson, appeared in the pleading and in the exhibits as the Grantee of certain parts of the land mentioned in the petition of Lottie Wise as guardian of the minors, Winton Wise and Jeanette Wise, and that the true purchaser as will appear from the deed executed by the guardian and the adult heirs was Alma Robinson, and that an amendment has been duly filed setting forth that Alma Robinson is the purchaser of the land instead of E. W. Robinson, and the answers of the guardian ad litem and special Solicitor have been filed to the petition as amended. This cause shall be submitted upon the amended pleading and the answers filed thereto and the testimony taken in support of the petition on August 17, 1945.

  
SOLICITOR FOR PETITIONER

  
GUARDIAN AD LITEM

  
SPECIAL SOLICITOR FOR WINTON  
WISE

IN RE: : IN THE CIRCUIT COURT OF  
ESTATE OF WINTON WISE AND : BALDWIN COUNTY, ALABAMA  
JEANETTE WISE, MINORS : IN EQUITY.

TO THE HONORABLE FRANCIS W. HARE, JUDGE OF THE  
CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. SITTING IN EQUITY.

Now comes Mrs. Lottie Wise as Guardian of Winton  
Wise and Jeanette Wise, minors, and amends her petition in read  
this cause, filed as follows: She amends paragraph Four (4) of  
her petition to read as follows:

Your petitioner as guardian of Winton Wise and  
Jeanette Wise has within the past three months joined with the  
other adult tenants-in-common, namely, Harry A. Wise; Owen F. Wise;  
Roberta Wise Bray; Myrtice Wise Nall; Lessie Wise; Mabel Wise  
Miller; Arkie Wise; Mary Emma Wise Barron; Leo Wise Atkeison;  
Eleanor B. Wise; Ulay K. Wise; Ralph S. Wise; Anna Ruth Wise  
Vickery; Merril Wise and Emma K. Wise and Lottie Wise in executing  
conveyances to Alma Robinson and Cecil Neal, which said convey-  
ances are hereto attached and marked exhibit "A" and exhibit "B"  
to this petition. The total purchase price of one parcel of land  
being One Thousand (\$1,000.00) Dollars, and the total purchase  
price of the other parcel of land being Two Thousand (\$2,000.00)  
Dollars. And she amends paragraph Six (6) to read as follows:

Your petitioner avers that the price to be paid for  
the interest of said minors is the fair and reasonable value of  
their interest in said property, and that it would be to the best  
interest of said minors for said property to be sold, and further  
avers that it is to the best interest of said minors that she be  
permitted to join the adult tenants-in-common in a private sale  
of said land to the said Alma Robinson and Cecil Neal as afore-  
said, as the fractional interest of said minors will in all prob-

ability bring a far better price sold at such private sale than it would bring sold at public outcry.

And she further amends the prayer of said petition to read as follows:

The premises considered, petitioner prays that a day be set for the hearing of this report not less than Twenty (20) days from the filing thereof, and that notice be given to said minors and to the adult next of kin of such wards resident in this State and not interested in such sale, by personal citation to be served not less than Ten (10) days before the day appointed for such hearing, and that such other notice be given as the Court may in its discretion see fit to order. That the Court appoint a Guardian ad litem to represent and protect the interests of said minors upon such hearing, and that on the day appointed for such hearing to hear the report and evidence for and against confirmation of said sale, and if satisfied that it is to be the best interest of said minors, that it make and enter an order confirming the same and ordering and directing that the petitioner join with the adult tenants-in-common in making a conveyance of the interest of said minors in the aforesaid land to Alma Robinson and Cecil Neal upon receiving payment of the amount of the purchase price so agreed to be paid, and that it will make and enter such other, further and different orders as may be necessary and requisite for carrying out said sale.

And petitioner will ever pray, etc., etc..

*Letha Miss*  
\_\_\_\_\_  
PETITIONER

THE STATE OF ALABAMA

ESCAMBIA COUNTY

Before me, the undersigned authority, personally appeared, Frank G. Horne, who is known to me and known to me to be one of the Solicitors for the Petitioner, and who being by me first duly sworn doth depose and say as follows:

That he is one of the Solicitors for the Petitioner in the above entitled cause and that he is informed and believes and upon such information and belief states that the facts set out in the foregoing amendment are true and correct.

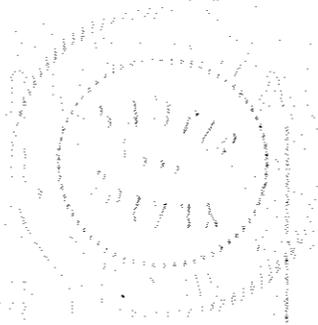


Frank G. Horne

Sworn to and subscribed before me, this 31 day  
of August, 1945.

R. P. Bennett

Pilatus  
Petition  
Petition



RECORDED

Recd Sept 1st 1945  
P. J. [unclear]  
P. J. [unclear]