

642

The State of Alabama, }
Baldwin County.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

To any Sheriff of the State of Alabama--GREETING :

WE COMMAND YOU, That you summon Albert Crane, (a minor over
14 years of age)... Lawrence Crane, (. next of kin of Albert Crane a minor ove
over 14 years of age,)

of Baldwin County, to be and appear before the Judge of the Circuit Court
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by
Ella Crane,

against said Albert Crane and Lawrence Crane,

and further to do and perform what said Judge shall order and direct in that behalf. And this the
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 19th day of

November 1926.

T. W. Richerson Register.

N. B. - Any party defendant is entitled to a copy of the bill upon application to the Register.

Original

SERVE ON.....

**Circuit Court of Baldwin County
In Equity.**

No.

SUMMONS

Ella Crane

vs.

*Albert Crane (a minor over
14 years of age)*

*Lawrence Crane next of kin of
Albert Crane a minor over
14 years of age)*

*Richardby, Beebe & Hall,
Solicitor for Complainant*

Recorded in Vol. Page

**THE STATE OF ALABAMA,
BALDWIN COUNTY.**

Received in office this

day of 192

Sheriff.

Executed this *27th* day of

November 192 *6*

by leaving a copy of the within Summons with

Albert Crane
Lawrence Crane

Defendant.

W R Stuart

Sheriff.

Deputy Sheriff.

STATE OF ALABAMA,
BALDWIN COUNTY.

THIS AGREEMENT, Made and entered into on this the 17th day of September, 1926, in duplicate, by and between ELLA CRANE, a widow, of the first part and BEN W. STURE, of the second part, WITNESSETH:-

That for and in consideration of the sum of Fifty Dollars (\$50.00) this day paid to party of the first part by party of second part, receipt whereof is hereby acknowledged, party of first part hereby undertakes and agrees to convey by full warranty deed to the party of second part or to such person, firm or corporation that party of second part may designate, within the time and subject to the conditions and stipulations herein contained, the following real property in Baldwin County, Alabama, viz:

Beginning at a point 80 links south of the northeast corner of fractional section eight in township five south of range two east, run west 28 chains 60 links, thence south 6 chains and 34 links, thence east 28 chains and 60 links, thence north 6 chains and 34 links to beginning containing 18.13 acres. Also beginning at a point 7 chains and 14 links south and 44 chains and 31 links west of the northeast corner of Section eight in township five south of range two east, thence west 6 chains and 32 links, north 3 chains and 18 links, east 6 chains and 32 links, south 3 chains and 18 links to beginning containing two acres. Also beginning at a point 7 chains and 14 links south and 58 chains and 95 links west of northeast corner of section eight in township five south of range two east, thence west 71 chains and 40 links, thence north 6 chains and 34 links, thence east 30 chains and 61 links, thence south 4 chains and 74 links, thence east 7 chains and 50 links, thence north 49 links, thence east 12 chains, thence north 4 chains and 25 links, thence east 21 chains and 29 links, thence east 6 chains and 34 links to beginning, containing 36.61 acres. Also beginning at a point 80 links south and 149 chains and 31 links west of the northeast corner of said section, thence west 7 chains and 43 links to Mobile Bay, thence south along the margin of Mobile Bay 3 chains and 17 links, thence east 7 chains and 43 links, more or less, to a point directly south of beginning point, thence north 3 chains and 17 links to beginning, containing 2.35 acres.

It is the intent of this instrument to cover all property owned by me in said section whether correctly or particularly described herein.

Together with, all and singular, the rights, benefits, improvements, privileges, tenements, hereditaments and appurtenances unto the same belonging or in anywise appertaining.

The aforesaid consideration of \$50.00 this day paid, should this option be exercised, to be credited on the purchase price of said property which is Three Thousand Dollars (\$3,000.00) and is to be paid cash. Party of first part undertakes and agrees to furnish party of second part with a full and complete merchantable abstract of title, covering said property brought down to the date of this option and party of second part shall have thirty days from the receipt thereof within which to examine the title to said property as shown by said abstract, In the event said title is found to be a good merchantable title in fee simple and acceptable to party of second part, he shall have fifteen days from the date of the receipt

of option within which to purchase said property; in event said abstract does not show a good merchantable title in fee simple to said property in party of first part, acceptable to party of second part, then party of first part undertakes and agrees to perfect the same and upon such defects being cured and party of second part receiving an opinion from his attorneys to that end, he shall have the same 15 days period after the receipt of such opinion within which to purchase said property.

It is further agreed that in the event any Chancery or Court proceedings are necessary to perfect said title that party of second part will bear expenses of same, including reasonable attorneys fees.

In event party of second part fails to complete the purchase price of said property under the terms hereof, then all rights hereunder shall cease.

IN WITNESS WHEREOF, the parties hereto hereunto set their hands and seals on the day and year first above written.

WITNESS:
Elizabeth Richerson,
Betty M. Fuller.

MRS. ELLA CRANE (SEAL)
BEN W. STURE (SEAL)

STATE OF ALABAMA,)
BALDWIN COUNTY.)

I, W. D. Stapleton, Judge of Probate for said County hereby certify that the following privilege tax has been paid on the within instrument as required by Acts 1925, Viz: \$---Cts.50.

W. D. STAPLETON,
Judge of Probate,
By J L Kessler, Clerk.

Filed for record Sept. 16th, 1926 at 10:25 A. M.
Recorded Sept 27th, 1926.

W. D. Stapleton, Judge of Probate.

State of Alabama,)
County of Baldwin.)

I, G. W. Humphries, Judge of Probate in and for said State and County, hereby certify that the above and foregoing is a true, correct and complete copy of an instrument of writing as the same appears of record in Deed Record 40, at pages 590 and 591, now on file in the office of Judge of Probate, Baldwin County, Alabama.

Witness my hand and the seal of the Probate Court of Baldwin County, Alabama, this 31st day of January A.D., 1927.

G. W. Humphries
Judge of Probate,

By *J L Kessler* clerk

BE IT KNOWN, That Benjamin Crane, unmarried, for and in consideration of the sum of Twenty Dollars, to him in hand paid by Ella Crane, widow of Samuel Crane, deceased, the receipt whereof is hereby acknowledged, do remise, release, quit-claim and convey unto the said Ella Crane her heirs and assigns, forever, All and singular, the following described real property, situated in the county of Baldwin, State of Alabama, to-wit:

All my right, title, interest and claim in or to the North half of that certain tract of land in Sections 7 & 8, Township 5 south, Range 2 East, known as the Deep Hole Tract, Division No. 3 of the Dominique Dolive Tract as referred to in Record G. 1, of Probate Court, Page 353 to 356, Being the same tract deeded by Hannah Durant to Benjamin Crane and Samuel Crane, September 22, 1891, and recorded in Book R on page 168 and 169, Baldwin county records.

To have and to hold the same forever.

In Witness Whereof, I have hereunto set my hand and seal this 25th day of March, 1918.

Signed, sealed and delivered
in presence of:

Benjamin Crane (seal)

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

I, B. L. Randall, a Notary Public in and for said State and County, hereby certify that Benjamin Crane, unmarried, 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, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this 25th day of March, A.D., 1918.

(seal)

B. L. Randall, Notary Public,
Baldwin County, Alabama.

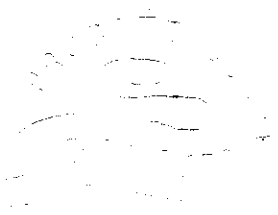
Filed for Record April 6th, 1918 at 8:52 A.M.
Recorded April 6th, 1918.

Jas. M. Voltz, Judge of Probate.

STATE OF ALABAMA,)
 : ss.
BALDWIN COUNTY.)

I, G. w. Humphries, Judge of Probate in and for said State and county, hereby certify that the above and foregoing is a true, correct and complete copy of an instrument of writing as the same appears of record in Deed Record 27 N. S. at page 129, now on file in the office of Judge of Probate, Baldwin County, Alabama,

Witness my hand and the seal of the Probate Court of Baldwin County, Alabama, this 22nd day of January A.D., 1927.


G. W. Humphries
Judge of Probate.
by J. H. Wesley Clerk

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity.)

Ella Crane et al Complainant.

VS.

Albert Crane et al, Respondent.

I, T.W. Richerson,

as Register and Commissioner

have called and caused to come before me Mrs. Ella Crane, Laurence Crane, and Harry H. Parker,

witness^{es} named in the Requirement for Oral Examination, on the 22 day of Jan 1927, at the office of Register

in Bay Minette Ala, Alabama, and having first sworn said witness^{es} to speak the truth, the whole truth, and nothing but the truth, the said Witnesses,

doth depose and say as follows:

① Mrs. Ella Crane being duly sworn deposes and says as follows: My name is Ella Crane. I am a resident of Baldwin County, Alabama, and over the age of twenty-one years. I am the mother and guardian of Albert Crane, a minor, over the age of fourteen years and who lives with me in Baldwin County, Alabama. I was duly appointed as guardian of the said Albert Crane on February 10, 1926. I am the widow of Sam Crane, who during his life time owned an undivided half interest in the lands described in the original bill of complaint in this matter. Sam Crane, my husband, and I were living on and occupying the said land as a homestead at the time of his death. The said lands were less in area than 160 acres, being approximately one hundred acres, and his interest in said lands was less in value than two thousand dollars at the time of his death. The said lands described in the original bill of complaint filed in this cause was the only land owned by the said Sam Crane at his death. My husband, Sam Crane, died on December 5, 1916, without leaving a will. He left surviving him as his heirs and only heirs, the affiant, Ella Crane, his widow, and the following children: Nettie Johnson, Lawrence Crane, Lillie White, Dona Crane, Joe Crane, Alton Crane, Ella Crane and Albert Crane. Of these children Nettie Johnson and Lawrence Crane were over the age of twenty-one years at the time of this death. All the others were

... minors... The interest of the said Sam Crane in the said property was exempt
 ... to your affiant, Ella Crane, and the said minor children... After the death of
 ... the said Sam Crane your affiant, Ella Crane, acquired the half interest in the
 ... said property other than that owned by the said Sam Crane from Benjamin Crane.
 ... She has also since the death of the said Sam Crane, acquired the interests of
 ... Nettie Johnson, Lawrence Crane, Lillie White, Dona Crane, Joe Crane, Alton
 ... Crane and Ella Crane. The title to said lands is now vested in your affiant
 ... Ella Crane and Albert Crane, a minor. The said Albert Crane, a minor, owning
 ... a one-fourteenth interest and the affiant, Ella Crane, owning a thirteen-fourteenths
 ... interest. After the death of my husband, Sam Crane, I was unable to provide for the
 ... care of my children or to obtain a livelihood living on the said property near
 ... Daphne, in Baldwin County, Alabama. The said property was not a suitable place for
 ... a home, at the time I moved away, which in February, 1917. I moved to Stockton,
 ... Baldwin County, Alabama, where I now live. The said Albert Crane lives with me
 ... and is under my care and protection. The said property described in the original
 ... bill of complaint filed in this cause is practically without rental value. The
 ... house being in a run down condition, needing a new roof and the fences surrounding
 ... the place have fallen down. In its present condition the place is of no service
 ... whatever to the affiant and the said Albert Crane. On the contrary the place is
 ... an expense for care and supervision without which it would rapidly deteriorate in
 ... value; the State and County taxes and the expense of keeping up the property are
 ... much in excess of any income therefrom. There is no present income whatever at the
 ... present time. And neither the affiant or the said Albert Crane, a minor, have the
 ... necessary funds to ~~place~~ put the place in a rentable condition.

Your affiant has recently secured a firm offer to purchase the
 said property from one Ben W. Sture, a resident of Mobile, Alabama, at the price
 of three thousand dollars cash. Your affiant believes that on account of the
 deterioration in value of the said property and the expense of maintaining the same
 and because said property is wholly unsuited as a home for your affiant and the
 said Albert Crane that it is to the best interests of the said minor Albert Crane
 that the same be sold and the proceeds in other property which will be more advantageous
 to the said minor.

Cross examination by Mr. Moorer, guardian ad litem for Albert Crane, a minor.

This property is about two miles from a public road and it
 borders on Mobile Bay for a distance of 210 feet. This property is about three
 miles from Daphne and outside of the fact that it has a small water frontage
 the property is of very little value. Buildings are old and worn and are un-
 tenantable. Any revenue that I might receive from the buildings after being

repaired, would not justify the expensa in repairing. This property is about three miles from the nearest school and about three miles from the nearest church. There are no white people living near this place at all and only a few colored people. Knowing the property as I do, and having lived there at one time, consider it much to the interests of the minor, Albert Crane, that the property be sold for reinvestment. Albert Crane is now seventeen years old and still resides with me. This is the only real property owned by said minor and is of less value than two thousand dollars and less than 160 acres.

Ella Crane

Lawrence Crane, a witness for the Complainant, being duly sworn deposes and states as follows: I am personally acquainted with the property described in the original bill filed in this cause. The house is in a bad condition and much in need of repairs. There are no fences about the place. Practically all of the said property is back about one-half mile from the Bay, there being only a small parcel of the land fronting on Mobile Bay. The land fronting on the Bay is right down in a swampy place and is nothing but a marshy place and some sand immediately along the Bay. All the property fronting on the Bay could not be used without first being filled in to protect it from the waters of the Bay. The place as it now stands affords no income whatever and to put the houses in a condition such that it would afford an income, would necessitate the expenditure of an amount much more than the income would warrant. The place is about three miles from the nearest school, three miles from the nearest church, two miles from a public road and in a thinly settled vicinity, there being only a few darkies living near. There is no income whatever from the place as it now stands. ~~The place as it now stands is not suitable as a home. It is my opinion that it would be to the best interests of the said minor, Albert Crane, that the property be sold and the proceeds invested in other property.~~ The place as it now is is not suitable as a home. It is my opinion that it would be to the best interests of the said minor, Albert Crane, that the property be sold and the proceeds invested in other property.

Cross examination by Mr. Moorer, guardian ad litem for the Minor, Albert Crane.

My name is Lawrence Crane. I am a son of Ella Crane. I am thirty-two years old. I know the property described in the original bill of complaint, it having been my former home. And I know of my own knowledge that it is much to the interests of Albert Crane, the minor, that this property be sold for reinvestment. There is no income from the property at all and to make it income producing would cost considerably more than returns received. In fact, it would be very doubtful if

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the premises could be rented to a white person, should the same be repaired.

Laurence Crane

Harry H. Parker, a witness for the Complainant, being duly sworn deposes and says as follows: My name is Harry H. Parker. I am a resident of Fairhope, Baldwin County, Alabama, and a civil engineer by profession. I am personally acquainted with the Crane property near Daphne, Alabama, it being the property described in the original bill of complaint filed in this cause, having surveyed the same about a year ago. The land is rolling and has a creek running through it. All the property is back off the Bay, except a small parcel down next adjoining Mobile Bay which is low and swampy and as it now is ~~is~~ is of no use whatever and to make it of use would require a great amount of filling in, much more than the value of the property would warrant. The building located on the property was badly in need of repair, fences all down. The house was not in a liveable condition and to make it so would necessitate the expenditure of quite a bit of money. There are no white people living near this place, there only being a few darkies living in the near territory.

Cross examination by Mr. Moorer, guardian ad litem for Albert Crane, a minor. My name is H. H. Parker. I reside at Fairhope, Baldwin County, Alabama. I am a civil engineer by profession and have occasion to survey land all over Baldwin County, Alabama. I am also familiar with land values in various parts of Baldwin County, Alabama, and can say that the sum of three thousand dollars is a fair and reasonable value for the property described in the original bill of complaint and known as the Crane property, about three miles above Daphne. I am certain it is to the interests of the minor, Albert Crane, that this property be sold at that price for reinvestment.

Harry H. Parker

ORAL EXAMINATION.

I, T.W. Richerson, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness ES and read over to them and they signed the same in the presence of myself Hon. H.M. Hall and H.D. Moorer at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ES or had proof made before me of the identity of said witness ES; 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 22nd day of January 1927

T.W. Richerson (L. S.)

NO. 642 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Ellie Crane,

vs. Complainant

Albert Crane et al.

Respondent

Oral Deposition

Filed Jan 22nd, 1927

T.W. Richerson, Register
Recorded in

Record

Vol. Page

Register

Bay Minette, Ala.,

Feb 16 192*7*

John J. W. Robinson

IN ACCOUNT WITH

G. W. Humphries

JUDGE OF PROBATE, BALDWIN COUNTY

Please Return Bill With Remittance

Deed Tax and
Mortgage Tax

Rec. Fee

Total

J *Deed*
Rec. Mort. from *Crane vs. Crane* to *Crane*

PAID 2/10/27
By J. S. [unclear]

THE STATE OF ALABAMA, }
Baldwin County. }

COURT OF PROBATE.

February 10th, 1926 --191--

Be It Remembered and Made Known to All Whom It May Concern:

That on the application of ELLA CRANE
to my said Court, I have caused these letters of guardianship to issue in favor of the said

-----ELLA CRANE-----

in and upon the Persons, Goods and Chattels, Rights and Credits of

ALBERT CRANE-----

and in every case which occasion may require, the said ELLA CRANE
is authorized to bring suit and be sued as the

lawful Guardian to the said ALBERT CRANE

Witness, W D Stapleton Judge of said Court,

this 10th day of February A. D., one thousand, nine hundred

and twenty-six.

W. D. Stapleton

L. J. St. Kewen. Clerk

JUDGE OF PROBATE.

COURT OF PROBATE

Baldwin County.

Estate of

Albert Crane

A Minor.

Ellis Crane

Guardianship.

Letters of Guardianship

Recorded in Guardian's Record

Page _____

THE STATE OF ALABAMA,

Baldwin

County.

No. 642.

CIRCUIT COURT, IN EQUITY.

Ella Crane,

Complainant

vs.

Albert Crane and Lawrence Crane,

Defendant

In this cause it is made to appear to the Register by the Bill of Complaint,

that the Defendant Albert Crane

in the belief of affiant, infant ~~is~~ over the age of 14 years; and that a summons on the Bill of Complaint in this cause was served upon the Defendant Albert Crane,

said infant, on the 27th day of November 1926, and that as no one has been nominated by the said Albert Crane,

to act as Guardian ad Litem for said infant; and it further appearing that

Henry D. Moorers is in all respects a suitable person to act as Guardian ad Litem for said infant; and having filed his consent in writing to act as such, it is now ordered by the Register that he is hereby appointed Guardian ad Litem in this cause for the said infant Defendant

Witness my hand, this 10th day of January 1927

[Handwritten Signature]

Register.

ACCEPTANCE.

I, Henry D. Moorers hereby accept the above appointment as Guardian ad Litem, and consent to act as such in the above cause.

Witness my hand, this 10th day of January 1927

[Handwritten Signature]

Guardian ad Litem.

THE STATE OF ALABAMA,
Baldwin County.

No. 642.

CIRCUIT COURT, IN EQUITY.

Ella Crane, Complainant

vs.

Albert Crane and Lawrence Crane, Defendant

In this cause it is made to appear to the Register by the Bill of Complaint,

that the Defendant Albert Crane

in the belief of affiant, infant ~~is~~ ^{over} the age of 14 years; and that a summons on the Bill of Complaint in this cause was served upon the Defendant Albert Crane,

said infant, on the 27th day of November 1926, and that as no one has been nominated by the said Albert Crane,

to act as Guardian ad Litem for said infant; and it further appearing that

Henry D. Moorers is in all respects a suitable person to act as Guardian ad Litem for said infant; and having filed his consent in writing to act as such, it is now ordered by the Register that he is hereby appointed Guardian ad Litem in this cause for the said infant Defendant

Witness my hand, this 10th day of January 1927

[Signature]

Register.

ACCEPTANCE.

I, Henry D. Moorers hereby accept the above appointment as Guardian ad Litem, and consent to act as such in the above cause.

Witness my hand, this 10th day of January 1927

[Signature]

Guardian ad Litem.

THE STATE OF ALABAMA,

County.

CIRCUIT COURT, IN EQUITY.

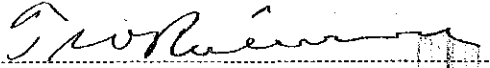
Ella Crane

vs.

Albert Crane et al

APPOINTMENT AND ACCEPTANCE
OF GUARDIAN AD LITEM.

Filed Jan 10th 1927


Register.

Recorded in Record,

Vol. Page

Register.

ELLA CRANE,
Complainant,

-vs-

ALBERT CRANE,
Defendant,

CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA,
IN EQUITY.

Comes Albert Crane, by Henry D. Moorer, Guardian Ad Litem duly appointed by the Circuit Court of Baldwin County, Alabama, on the 10th., day of January, 1927, and files this as his answer to the original bill and each count thereof severally and separately, filed in this cause.

That the defendant, Albert Crane, denies each and every allegation contained in the original bill of complaint and each paragraph thereof and demands strict proof of same.

Henry D. Moorer
Henry D. Moorer.
Guardian Ad Litem for Albert Crane.

12/13/27

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Filed Jan 11th 1927
T. W. Register
Register

STANDARD
MAGAZINE

ELLA CRANE,
Complainant,

vs.

ALBERT CRANE,
Respondent.

No. 642.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

This cause coming on to be heard was submitted upon the pleadings and proof.

IT APPEARING to the Court from the evidence that the allegations of Complainant's bill are true; that the Complainant owns an undivided thirteen-fourteenths interest and the Respondent a one-fourteenth interest in the property described in the original bill of complaint in this cause; that on account of the deterioration in the value of said property and the expense of maintaining the same and because said property is unsuited for a home for Complainant and Respondent, it is to the best interests of the Complainant and Respondent, Albert Crane, a minor, that the same be sold and the proceeds invested in other property which will be more advantageous to Complainant and Respondent.

IT FURTHER APPEARING to the Court that the Complainant has secured a firm offer to purchase said property from one Ben W. Sture, a resident of Mobile, Alabama, at the price of three thousand dollars cash, said sum to be paid fifty dollars cash, which cash payment has been paid over to the Complainant, and the balance to be paid as soon as merchantable fee simple title to said lands can be conveyed; that said sum of three thousand dollars is a just and reasonable price for said property;

IT IS ORDERED, ADJUDGED AND DECREED by the court that said property described in the original bill of complaint in this cause be conveyed to the said Ben W. Sture, upon the payment of the balance of the purchase money, to-wit: \$2950.00, for the purpose of reinvesting the proceeds thereof in a home for the use and benefit of the said Albert Crane, a minor, and the Complainant;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Ella Crane, individually and as guardian of Albert Crane, a minor, execute a deed of conveyance conveying the property described in the original bill of complaint in this cause, to the said Ben W. Sture, in accordance with the terms of the contract between the Complainant and the said Ben W. Sture, and collect the money therefor.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said money be held by the said Ella Crane, subject to the further order of this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant pay the costs of this cause, for which let execution issue.

Done at Bay Minette, Alabama, this the 15th day of February, 1927.

John D. Leigh
JUDGE, TWENTY-FIRST JUDICIAL CIRCUIT.

in

Final Decree

Filed February 15th
1927.
T. W. Peterson
Registrar

RECORDED

Mar 3 1927

RECORDED