

RECORDED

DECREE CONTINUING CAUSE

ESTATE OF

GEORGE W. BOYES, DECEASED.

DECREE CONTINUING CAUSE

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2242.

Mar 18-49

2242

ADMINISTRATOR'S BOND

ESTATE OF
GEORGE W. BOYES,
DECEASED.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA.

STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS; That we, H. England, as Principal, and the Hartford Accident and Indemnity Company, a Corporation, as Surety, are held and firmly bound unto W. R. Stuart, Probate Judge of Baldwin County, Alabama and to his successors in office, in the penal sum of Sixteen Thousand Dollars (\$16,000.00), for which payment, well and truly to be made, the principal binds himself, his heirs, executors and administrators and the surety binds its self, its successors and assigns, jointly and severally, by these presents.

The condition of the above obligation is such that, whereas, on the _____ day of August, 1948, the Probate Court of Baldwin County, Alabama, did grant unto the above bounden H. England, Letters of Administration upon the Estate of George W. Boyes:

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

IN WITNESS WHEREOF, H. England has hereunto set his hand and affixed his seal and the Hartford Accident and Indemnity Company, a Corporation, has caused its Corporate Seal to be hereto affixed and this instrument to be executed by George K. Page, as its Attorney in Fact, he being duly and fully authorized in the premises on this the 14th day of August, 1948.

H. England (SEAL)
HARTFORD ACCIDENT AND INDEMNITY COMPANY, A
Corporation, (SEAL)

By George K. Page

As its Attorney in Fact.

Taken and approved on this the
17 day of August, 1948.

NR. Smith

Probate Judge.

2242
ANSWER

ESTATE OF

GEORGE W. BOYES, DECEASED

RECORDED

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

FILED

MAR 9 1949

ALICE J. DUCK, Register

ESTATE OF
GEORGE W. BOYES, DECEASED.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2242.

DECREE CONTINUING CAUSE

This cause coming on to be heard on this date, and not being ready for hearing, shall be and it is hereby ordered continued until ten o'clock A. M. on March 19, 1949.

Dated this 18th day of March, 1949.

Telfair J. Mashburn, Jr.
Judge.

ESTATE OF

GEORGE W. BOYES, Deceased

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

TO HON. JEFF BENNETT, ATTORNEY AT LAW, GREETINGS;

You are hereby notified that under and by virtue of an order of the Court made and entered in the above entitled cause on the 14th day of March, 1949, you were appointed to represent and act as Guardian ad Litem for David Harmon Boyes, a minor and non-resident of the State of Alabama.

This cause shall be and is hereby set for hearing at ten o'clock A. M. on March 18th, 1949.

Alice J. Duke
Register

I, Jeff Bennett, heretofore appointed Guardian Ad Litem to represent David Harmon Boyes, a minor in the above entitled cause do hereby acknowledge receipt of my appointment as Guardian Ad Litem issued by the Register and I agree to act as such Attorney and Guardian Ad Litem in this cause.

This 15th day of March, 1949.

Jeff Bennett
Guardian Ad Litem

ESTATE OF
GEORGE W. BOYES, DECEASED.

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

ANSWER

I, the undersigned Betty Alice Boyes, a daughter of the decedent, George W. Boyes, having been advised that H. England, as Administrator of the Estate of George W. Boyes, Deceased, has filed in the Circuit Court of Baldwin County, Alabama, in Equity, a Petition to sell the real property situated in Baldwin County, Alabama, which belonged to the said decedent in his lifetime, for division between the heirs of the said decedent, do hereby admit the allegations of the said Petition and consent and agree that the property be sold at public sale by the said Administrator in the manner authorized by the decree of the Circuit Court of Baldwin County, Alabama, in Equity, which will be rendered on the hearing of the said Petition.

Dated this 5th day of March, 1949.

Betty Alice Boyes

STATE OF NEW JERSEY
UNION COUNTY

I, Chas. H. Gilbert, a Notary Public, within and for said County, in said State, hereby certify that Betty Alice Boyes, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 5th day of March, 1949.

Chas. H. Gilbert
Notary Public, Union County, New Jersey

My Commission Expires 5/13/51

AFFIX SEAL.

ESTATE OF
GEORGE W. BOYES,
Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2242.

TESTIMONY TAKEN IN OPEN
COURT ON MARCH 19, 1949

APPEARED for Administrator, H. England

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

FOR MINORS

Hon. Jeff Bennett, Atty.,
Guardian Ad Litem
Foley, Alabama

WITNESSES WERE DULY SWORN BY THE COURT AND TESTIFIED AS
FOLLOWS:

ON DIRECT EXAMINATION

By Mr. Blackburn

Q. Mr. England, have you been appointed as administrator
and are now acting as administrator of the Estate of
George W. Boyes, deceased?

A. You mean have I been appointed?

Q. Have you been appointed and are you now acting as
administrator of his estate?

A. Yes.

Q. And you filed the petition in this cause?

A. Yes, I did.

Q. And are the facts stated in it true?

A. Yes.

Q. And you are familiar with the heirs of Mr. George W.
Boyes?

A. I met the young son. I don't know that I know-

Q. But you know who his heirs are?

A. Yes, I do.

Q. Those heirs at the time the petition was filed were
Betty Alice Boyes and David Harmon Boyes?

A. That's right.

Q. And she is over twenty-one years of age and of sound mind?

A. She is.

Q. And the son, David Harmon Boyes, is a minor?

A. Yes sir.

Q. Those are the two heirs of George W. Boyes, deceased?

A. They are.

Q. Now Mr. England, just explain to the court in your own words what kind of property this is.

A. Well, there's sixty acres. It contains a small house, a chicken coop and garage, and I would say about a hundred pecan trees.

Q. You say it has about a hundred pecan trees? Now, they cover what part of the land?

A. Well, the hundred pecan trees, as well as I remember, are on the twenty acres south of the forty.

Q. Are there any improvements on the forty?

A. I don't know exactly where the lines are, it seems like the improvements are on the twenty acres. Some of the land is in cultivation.

Q. Is all the land in cultivation?

A. Some of it is.

Q. The character of the land is not the same?

A. No.

Q. Due to the location of those improvements would it be possible to equally divide the property without a sale?

A. I don't see how it could be divided any other way.

Q. Is it to the best interest of the joint owners that it be sold and the money divided?

A. It is to my way of thinking.

ON CROSS EXAMINATION

By Mr. Bennett

Q. Of this forty, Mr. England, how much would you estimate is under cultivation?

A. Well, I couldn't tell. Some of it is timber. He cut it before he died. I would say maybe half of it. I never measured it.

Q. Part of the forty is cut over timberland and part of it is in cultivation?

A. That's right.

Q. And the twenty is where the house and pecan trees are?

A. On the twenty, yes, south of the forty.

Q. Then there's about twenty acres in pecan trees, twenty in cultivation and some of it cut-over land?

A. Yes.

ON DIRECT EXAMINATION OF J. S. LOWREY

By Mr. Blackburn

Q. Mr. Lowrey, do you know this tract of land?

A. Yes.

Q. You heard Mr. England testify substantially as to the conditions of the property, does that cover about what you know about it?

A. Yes, it does.

Q. Could that piece of land be equally divided between the joint owners?

A. I don't think so.

Q. With those improvements located as they are, one couldn't make an equal division of it without a sale, could they?

A. I don't see how they could. The part with the house would be a whole lot more valuable than the other.

Q. Couldn't divide it?

A. No.

Q. And the prospects of a sale of the property are good right now?

A. Yes.

Q. In your opinion is it to the best interest of the persons interested in this estate that it be sold for division?

A. Yes.

MR. BENNETT

No question.

Transcribed and filed this 23rd day of April, 1949.

Ara S. Nelson
Reporter

Original filed with Mrs. Alice J. Duck, Register \$.70

Copy to Hon. J. B. Blackburn .35

Copy to Hon. Jeff Bennett .35

Total \$1.40

ALICE J. DUCK, Clerk

APR 28 1949

FILED

Filed 4-23-49
Alice J. Duck
Registra

ESTATE OF
GEORGE W. BOYES, DECEASED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2242.

DECREE

This cause coming on to be heard on this date is submitted on the petition and account of H. England as Administrator of this said Estate for a final settlement of his administration of the said Estate, upon consideration of all of which it is therefore Ordered, Adjudged and Decreed by the Court that the Petition for Final Settlement and Account filed in this cause on this date by the Administrator, be and they are hereby referred to the Register of this Court, the time of which she shall give notice by publication once a week for three successive weeks in The Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, all of the heirs and distributees of the said Decedent being non-residents of the State of Alabama, and at the said reference she shall:

1. Examine and audit the account of the Petitioner and any vouchers filed by him as aforesaid, summon witnesses if need be, hear testimony and ascertain and report to the Court her conclusions upon the correctness of each statement of account, and in case she shall not allow any item or items as charged by the said Administrator, she shall report the same with her conclusions and the testimony she may have taken upon such item.

2. She shall hear testimony, ascertain and report to the Court whether the heirs and distributees of this said Estate are properly set forth in the said Petition for Final Settlement which has been filed in this cause and, if not, who are the said distributees and what are the proportions which they are entitled to share in the said Estate.

3. She shall hear testimony, ascertain and report to the Court what is fair compensation to be allowed the said Administrator for his trouble, risk and responsibility in and about the administration of the said Estate.

4. She shall hear testimony, ascertain and report to the Court what is a reasonable attorney's or solicitor's fee to be paid to J. B. Blackburn, Solicitor for the said Administrator.

5. She shall hear testimony, ascertain and report if the sum of \$93.56 shall be paid to Martha B. Boyes to reimburse her for payment made as outlined in the said Petition.

6. She shall hear testimony, ascertain and report to the Court whether the remaining averments of the said Petition for Final Settlement are true.

7. All other matters are reserved by the Court for such other and further action as may be necessary in this cause.

ORDERED, ADJUDGED AND DECREED on this the 26th day of July, 1949.

Jeffrey J. Mashburn, Jr.
Judge.

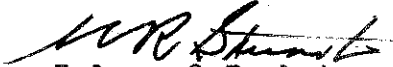
ESTATE OF GEORGE W. BOYES, DECEASED

In the Probate Court,
of Baldwin County,
Alabama.

In the matter of the removal of proceedings from Probate Court of Baldwin County to the Circuit Court of Baldwin County, Alabama, sitting in Equity.

In compliance with an order of transfer of Circuit Judge of Baldwin County, Alabama, Equity Division, I W.R. Stuart, as Judge of the Probate Court of Baldwin County, Alabama, hereby transfer all papers in the File No. 2578, Estate of George W. Boyes, Deceased, to the Circuit Court. Number of documents in the file, when transferred, 6.

Done this 22nd day of February, A.D., 1949.


Judge of Probate.

BAY MINETTE, ALA., Aug 17, 1948

Est George W. Boyes, Decd

IN ACCOUNT WITH
W. R. STUART
JUDGE OF PROBATE, BALDWIN COUNTY

Please Return Bill With Remittance[illegible]

The **BALDWIN**
Times
ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER
BAY MINETTE, ALABAMA

NOTICE OF APPOINTMENT
OF ADMINISTRATOR
In the Probate Court of Baldwin County,
Alabama.
ESTATE OF GEORGE W. BOYES,
DECEASED.
Letters of Administration upon the
Estate of the said Deceased having been
granted to the undersigned on the 17th
day of August, 1948, by the Honorable
W. R. Smith, Judge of the Probate
Court of Baldwin County, Alabama, no-
tice is hereby given that all persons
having claims against the said estate,
will be required to present the same
within the time allowed by law or they
will be barred.
H. ENGLAND,
Administrator.
J. B. BLACKBURN,
Attorney for Administrator. 33-3tc

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Jimmy Faulkner being duly sworn, deposes and says
that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper pub-
lished at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of
Estate George W. Boyes,
Deceased

COST STATEMENT

97 WORDS @ 3 1/2 cents — — — \$ 3.40

I hereby certify this is correct, due and unpaid (paid)

Jimmy Faulkner
Publisher.

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

Date of 1st publication Sept. 9, 1948 Vol. 59 No. 33

Date of 2nd publication Sept. 16, 1948 Vol. 59 No. 34

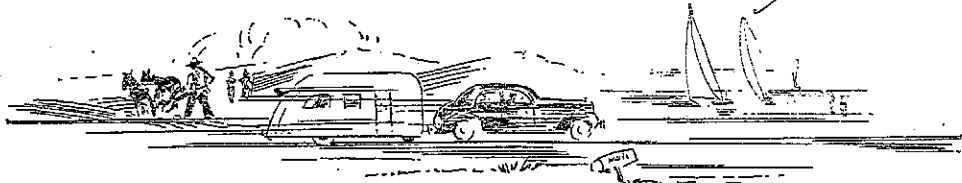
Date of 3rd publication Sept. 23, 1948 Vol. 59 No. 35

Date of 4th publication _____, 194____ Vo. _____ No. _____

Subscribed and sworn before the undersigned this 24 day of Sept., 1948

Marie B. Bryars
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



The **BALDWIN**
Times
ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER
BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA.
BALDWIN COUNTY.

Jimmy Faulkner, being duly sworn, deposes and says
that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper pub-
lished at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Est. of George W. Boyes

Legal Notice

NOTICE OF FINAL SETTLEMENT
ESTATE OF GEORGE W. BOYES, Deceased
In The Circuit Court of Baldwin County,
Alabama In Equity. No. 2242.
TO MARTHA B. BOYES, 718 B AVENUE E.,
FORT MADISON, IOWA; MARTHA B.
BOYES, AS GUARDIAN OF DAVID HAR-
MON BOYES, A MINOR 15 YEARS OF
AGE, 718 B AVENUE E., FORT MADISON,
IOWA; DAVID HARMON BOYES, 718 B
AVENUE E., FORT MADISON, IOWA; BET-
TY ALICE BOYES, 810 SECOND PLACE,
PLAINFIELD, N. J.; AND ALL OTHER PER-
SONS INTERESTED IN THIS PROCEEDING:
A Petition for Final Settlement of this Es-
tate, accompanied by account and vouch-
ers, having been filed in this cause on
this date by H. England as Administrator
of this said Estate, notice is hereby given
that, pursuant to a Decree of this Court
rendered in this cause, I will at 10:00
o'clock A. M., on the 16th day of August,
1949, hold a reference at my office in the
Court House of Baldwin County, Alabama,
at Bay Minette, Alabama, for the purpose
of examining and auditing the said ac-
count and considering all other matters in
connection with the said Final Settlement
of this Estate, at which time and place all
persons interested may appear and con-
test the same if they think proper.
Witness my hand this 26th day of July,
1949:
ALICE J. DUCK,
Register of the Circuit Court of
Baldwin County, Alabama, in
Equity.
J. B. BLACKBURN,
Solicitor for Administrator. 27-3tc.

COST STATEMENT

239 WORDS @ 3½ cents — — — \$ 8.37

I hereby certify this is correct, due and unpaid (paid).

Jimmy Faulkner
Publisher.

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

Date of 1st publication July 28, 1949 Vol. 60 No. 27

Date of 2nd publication Aug. 4, 1949 Vol. 60 No. 28

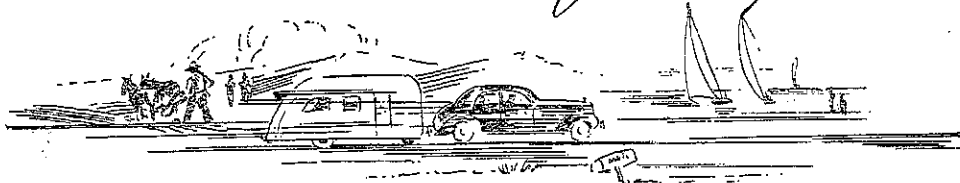
Date of 3rd publication Aug. 11, 1949 Vol. 60 No. 29

Date of 4th publication _____, 194____ Vol. _____ No. _____

Subscribed and sworn before the undersigned this 11 day of aug, 1949

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



No. 2578

In the matter of *Est. Geo. W. Boyce, Decd.*

Administrator, Executor, or Guardian. Residence.....

Attorneys.....

Docket.....

Page.....

Fee Book.....

Page.....

DATE	FEE	AMOUNT	DATE	FEE	AMOUNT
	WILL—Orders on Presentation, \$1.00			BROUGHT FORWARD,	
	Affidavit in Petition for Probate, 25c			SALE OF PERSONAL PROP.—Petition, 25c	
	Recording Petition, per 100 words, 15c			Recording same, per 100 words, 15c	
	Issuing Citation, entering Sheriff's Returns, 50c			Granting Order of Sale, 50c	
	Appointing, Notifying Guardian ad Litem, 50c			Issuing Order of Sale, 25c	
	Issuing Subpoena for Witnesses, 50c			Order to Publish Notice of Sale, 50c	
	Affidavit of Witnesses, 25c			Affidavit to Report, 25c	
	Examining Witnesses and Order Probating, \$2.00			Recording, per 100 words, 15c	
	Issuing Commission to take Deposition, 50c			Appointing Com'r to Divide, and Writ, \$2.00	
	Filing Interrogatories, 10c			Appointing and Notifying Guardian ad Litem, 50c	
	Copy of same, per hundred words, 15c				
	Recording Will, per hundred words, 15c				
	Recording Testimony, per hundred words, 15c				
	Certificate, without Seal, 25c			PARTIAL SETTLEMENT—Affi. in Account, 25c	
	Certificate with Seal, 50c			Examining, Stating Acc't, and App. Hearing, \$1.00	
	Presiding at Trial of Contested Will, per day, \$2.50			Order to Publish Notice of Sale, 50c	
				Appointing and Notifying Guardian 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	
				INSOLVENCY—Affidavit in Report, 25c	
				Recording Report and State., per 100 words, 15c	
				Order Appointing Day for Hearing, 25c	
				Order to Publish Notice of same, 25c	
				Order for Citations, 25c	
				Issuing Notice to Creditors, 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	
				Appointing, Notifying, Guardian ad Litem, 25c	
				SALE OF REAL ESTATE—Affi. in Petition, 25c	
				Recording Petition, per 100 words, 15c	
				Order App. Day of Hearing and Notice, \$1.00	
				Order to Publish Notice of same, 50c	
				Issuing Citation, entering Sheriff's Return, 50c	
				Appointing and Notifying Guardian ad Litem, 50c	
				Issuing Commission to take Deposition, 50c	
				Filing Interrogatories, per 100 words, 15c	
				Copy of Interrogatories, per 100 words, 15c	
				Appointing Com'r to Divide and Issue Writ, \$2.00	
				Affidavit in Report of same, 25c	
				Order Approving Division and Report, \$1.00	
				Recording same, per 100 words, 15c	
				Hearing Application for Dower, Issuing Writ, \$4.00	
				Exam. Testimony and Granting Order to Sell, \$2.00	
				Recording Depositions, per 100 words, 15c	
				Recording Relinquishment of Dower, 100 wds., 15c	
				Recording Report, per 100 words, 15c	
				Rec. Payment Purchase Money, per 100 words, 15c	
				Making Order on Report Sale of Land, 75c	
				FINAL SETTLEMENT—Affidavit in Acc't, 25c	
				Examining, Stating, and Reporting Account, \$1.00	
				Order to Publish Notice of same, 50c	
				Appointing and Notifying Guardian ad Litem, 50c	
				Examining Vouchers, 10c	
				Administering Affidavits, 25c	
				Recording same, per 100 words, 15c	
				Decrees in Final Settlement, 50c	

CARRIED FORWARD:

[illegible]

LETTERS OF GUARDIANSHIP

State of Iowa }
County of Lee } ss.

To All Whom These Presents Shall Come:

KNOW YE, That MARTHA B. BOYES

has been appointed by the District Court of said County, as Guardian of the person..... and prop-
erty of DAVID HARMON BOYES

with full power to take possession of all money and estate belonging to the said
DAVID HARMON BOYES

and to do all acts by law required of h^{er}..... as such Guardian.

WITNESS my hand and the seal of said District Court hereto affixed at Fort Madison,
on this 18th day of December 1948.

LETTERS OF GUARDIANSHIP

State of Iowa }
County of Lee } ss.

To All Whom These Presents Shall Come:

KNOW YE, That **MARTHA B. BOYES**

has been appointed by the District Court of said County, as Guardian of the person..... and prop-
erty of **DAVID HARMON BOYES**

.....
with full power to take possession of all money and estate belonging to the said
..... **DAVID HARMON BOYES**

and to do all acts by law required of her..... as such Guardian.

WITNESS my hand and the seal of said District Court hereto affixed at**Fort Madison**.....
on this **1884** day of **December** 19**48**

CERTIFICATE OF ATTESTATION.

DEMOCRAT COMPANY FORT MADISON, IOWA

STATE OF IOWA }
LEE COUNTY, } ss.

I, C. T. Hull, Clerk of the District Court, in and for
said County, in the State aforesaid, do hereby certify the foregoing to be a true, perfect and complete copy of
Letters of Guardianship in the Matter of the Guardianship of
David Harmon Boyes. I further certify that Martha B. Boyes
is the legally qualified and now acting Guardian in said matter
as the same appears of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my
hand and affixed the seal of said Court, at my office in
Fort Madison, Iowa this 18th day of December,

A. D. 1948.

C. T. Hull

Clerk

STATE OF IOWA, LEE COUNTY, ss.

I, J. R. Leary, Judge of the District Court, do
hereby certify that C. T. Hull whose name is subscribed to the
foregoing Certificate of Attestation, now is, and was at the time of signing and sealing the same, Clerk of the District
Court of Lee County aforesaid, and keeper of the Records and Seal thereof, duly
elected and qualified to office; that full faith and credit are and of right ought to be given to all his official acts as
such, in all courts of records and elsewhere, and that his said attestation is in due form of law, and by the proper
officer.

Given under my hand this 18th day of December, A. D., 1948.

J. R. Leary,
Judge of the First Judicial District of Iowa

STATE OF IOWA LEE COUNTY, ss.

I, C. T. Hull, Clerk of the District Court, in and for said County,
in the State aforesaid, do hereby certify that J. R. Leary,
whose genuine signature appeared to the foregoing certificate, was at the time of signing the same, Judge of the
District Court of the First Judicial District of Iowa, duly commissioned and qualified, that full faith and credit are,
and of right ought to be given to all his official acts as such, in all courts of record and elsewhere.

IN TESTIMONY WHEREOF, I have hereunto set my hand
and affixed the seal of said Court, at my office in Fort Madison,
Iowa, this 18th day of December,

A. D. 1948.

C. T. Hull

Clerk

ESTATE OF
GEORGE W. BOYES,
DECEASED.

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

TESTIMONY OF H. ENGLAND, TAKEN ON REFERENCE
BEFORE REGISTER ON AUGUST 16, 1949.

My name is H. England. I am over twenty-one years of age and a resident of Baldwin County, Alabama. I have been appointed, qualified and I am now acting as Administrator of the Estate of George W. Boyes, Deceased.

On July 26, 1949 I prepared and filed in this cause a Petition for Final Settlement of this estate. All of the facts stated in the said petition are true.

As Administrator of this estate, I collected, exclusive of the amounts realized from the sale of real property, the total sum of \$5764.28. I collected from the sale of real property belonging to this estate the sum of \$3800.00. In addition to the above collections, I also took into my possession the personal property which was heretofore distributed in kind to the heirs and distributees entitled to share in the assets of this estate, as authorized by a former decree of this Court. This personal property was conservatively worth \$800.00.

In handling the affairs of this estate, it has been necessary for me to make several trips to Bay Minette, Alabama, make various trips to the real property which is located approximately seven miles from Fairhope, engage in various correspondence and other duties in connection with the administration of the estate. In my opinion I am entitled to the sum of \$288.21 for commissions on the said sum of \$5764.28. I am entitled to \$100.00 commissions on the amount of \$3800.00 realized from the sale of real property and \$40.00 commissions on the personal property distributed in kind, which, in my opinion, was worth not less than \$800.00 at the time of its distribution.

In addition to the above items, the estate will receive \$100.00 for burial expenses due by the Veterans Administration and the sum of \$3,000.00 for life insurance due by the Department of Insurance of the Veterans Administration of the United States on a policy of insurance on the life of the Decedent, George W. Boyes.

The Veterans Administration recently determined that the proceeds of this policy are payable to this estate and not to Miss Boyes, a daughter of the Decedent. She has sixty days from the date of the finding to appeal from it and as this sixty day period has not expired, this amount of money cannot be collected at this time. This will make it impossible to fully complete the final settlement of this estate on this date, but the bond which I am now under, in the amount of \$17,000.00, should be reduced to \$6200.00, the premium for which for an additional year will be \$36.00.

Mrs. Martha B. Boyes paid the sum of \$93.56 for taxes due by the Decedent in his lifetime, which claim has not been paid by me, but I think that this claim is reasonable and should be paid from the funds of the estate.

I also know that Mrs. Martha B. Boyes, widow of the Decedent, was not divorced from him during his lifetime, but I also know that her separate estate, exclusive of rents, incomes and profits, is equal to or greater in value than her dower interest and distributive share in this estate. She owns a tract of land in Baldwin County, Alabama, for which she paid \$3800.00, which is the fair value of the property, and in addition to this, she owns other property in the State of Iowa. The persons entitled to share in the assets of this said estate are Betty Alice Boyes, a daughter, who is over twenty-one years of age and of sound mind, and David Harmon Boyes, an adopted son, who is a minor approximately fifteen years of age. Marth B. Boyes has been appointed, qualified and is now acting as Guardian of the said David Harmon Boyes under appointment from the District Court of Lee County, Iowa.

All of the disbursements which have been made by me and which are outlined in the Petition for Final Settlement filed in this cause are reasonable, necessary and proper in connection with the administration of this estate.

I appointed J. B. Blackburn, of Bay Minette, Alabama, to represent me, as Administrator of this estate. He obtained my appointment and has handled all of the legal matters in connection with this estate. Up to this time he has not been paid anything for his services.

CROSS EXAMINATION OF H. ENGLAND BY J. JEFFERSON
BENNETT, AS GUARDIAN AD LITEM FOR DAVID HARMON
BOYES.

Q. Mr. England, when was the claim for these taxes paid by Mrs. Boyes filed with you, as Administrator?

A. No claim was filed.

Q. Was the claim filed in the Court by Mrs. Boyes for these taxes?

A. No.

Q. Was the claim for these taxes filed by the City of Roanoke, Virginia with the Court in this cause?

A. No.

Q. Was the claim for any taxes/^{filed}against the estate by the Commonwealth of Virginia in this cause?

A. No.

The signature of the witness to the foregoing depositions is waived.

TESTIMONY OF C. LENOIR THOMPSON

My name is C. Lenoir Thompson. I am an Attorney at Law and Solicitor in Chancery, preacting in Baldwin County, Alabama, and am familiar with the amounts charged by attorneys for services rendered by them in Baldwin County, Alabama.

I have examined the office file of J. B. Blackburn and the Court file in the office of the Register of the Circuit Court of Baldwin County, Alabama, in Equity, covering the Estate of George W. Boyes, Deceased, and have observed the work done and responsibility involved in connection with J. B. Blackburn's representation of the Administrator of the said estate.

I am of the opinion that the sum of \$500.00 is reasonable compensation to be paid to J. B. Blackburn for services rendered by him to the Administrator of the said estate.

I am also of the opinion that the sum of \$100.00 is reasonable compensation for J. Jefferson Bennett, who acted as Guardian Ad Litem in this cause.

CROSS EXAMINATION BY J. JEFFERSON
BENNETT, GUARDIAN AD LITEM:

None.

Signature of the witness is waived.

Received from H. England, as Administrator of the Estate of George W. Boyes, Deceased, the following described personal property:

- 1 1938 Studebaker "President" Sedan; serial number 7123813, motor number B-28820
- 1 Crosley Shelvador electric refrigerator
- 1 Bedroom suite
- 1 Carriall trailer
- 1 Roto-tiller (small tractor)
- 1 lot of miscellaneous tools
- 1 oil heater
- 2 drums of oil
- 1 lot of barbed wire
- 1 lot of miscellaneous building material
- 1 lot of clothes and various personal effects

The above described property has been delivered to the undersigned on this date, pursuant to a decree of the Circuit Court of Baldwin County, Alabama rendered in connection with the administration of this estate, which bears even date herewith and is to apply on the distributive shares in the said estate due Betty Alice Boyes and David Harmon Boyes.

Dated this 18th day of April, 1949.

Betty Alice Boyes

Martha B. Boyes

As Guardian of David Harmon Boyes,
a Minor.

STATE OF ALABAMA

BALDWIN COUNTY

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

Given under my hand and seal on this the 18th day of April, 1949.

Mary Lou Blackburn

Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

I, Mary Lou Blackburn, a Notary Public, within and for said County in said State, hereby certify that Martha B. Boyes, whose name as Guardian of David Harmon Boyes, a minor, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she, in her capacity as such Guardian, executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 18th day of
April, 1949.

Mary Lou Blackburn
Notary Public, Baldwin County, Alabama.

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BALDWIN COUNTY, ALA.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2242.

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

1. He has been appointed, qualified and is now acting as Administrator of this said estate, the administration of which is now pending in this Court.

Included among the assets of the said estate is personal property which is specifically described in Exhibit A hereto attached and by reference made a part hereof as though fully incorporated herein.

4. The above named Betty Alice Boyes and Martha B. Boyes, as guardian of David Harmon Boyes, have requested that the above described property be delivered to them to apply on the distributive shares due Betty Alice Boyes and David Harmon Boyes.

5. Attached to and made a part of this petition is a written instrument executed by Betty Alice Boyes and Martha B. Boyes, as guardian as aforesaid, requesting that the above described property be delivered to them for the aforesaid purposes.

same voluntarily on the day the same bears date.

Given under my hand and seal on this the 18th day
of April, 1949.

Mary Lou Blackburn

Notary Public, Baldwin County, Alabama.

RELEASE

STATE OF ALABAMA
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS: That I, Martha B. Boyes, in consideration of delivery by H. England as Administrator of the Estate of George W. Boyes, Deceased, to Betty Alice Boyes and to me as Guardian of David Harmon Boyes, of the following described personal property belonging to the said Estate:

- 1 1938 Studebaker "President" Sedan; serial number 7123813, motor number B-28820
- 1 Crosley Shelvador electric refrigerator
- 1 Bedroom suite
- 1 Carriall trailer
- 1 Roto-tiller (small tractor)
- 1 lot of miscellaneous tools
- 1 oil heater
- 2 drums of oil
- 1 lot of barbed wire
- 1 lot of miscellaneous building material
- 1 lot of clothes and various personal effects

I have and do hereby fully and completely release and discharge the said H. England as Administrator as aforesaid from all claim or claims of every kind and nature which I, individually, may have against him or against the said Estate because of the delivery of the said property as aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 19th day of April, 1949.

Martha B. Boyes (SEAL)

STATE OF ALABAMA
BALDWIN COUNTY

I, J. B. Blackburn, a Notary Public, within and for said State at Large, hereby certify that Martha B. Boyes, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 19th day of April, 1949.

J. B. Blackburn
Notary Public, State of Alabama at Large.

ESTATE OF
GEORGE W. BOYES,
DECEASED.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2242.

DECREE AUTHORIZING PARTIAL DISTRIBUTION

This cause coming on to be heard on this date is submitted on the petition filed in this cause on this date by H. England, as Administrator of this said estate, from which it appears that this said estate is fully solvent, that the only persons interested therein are Betty Alice Boyes, a daughter of the said decedent, who is over twenty-one years of age and of sound mind, and David Harmon Boyes, an adopted son, who is a minor fourteen years of age, for whom Martha B. Boyes has been appointed, qualified and is now acting as guardian under appointment from the District Court of Lee County, Iowa; that the said estate owns, among other property, the personal property hereinafter described, which the said Betty Alice Boyes and Martha B. Boyes, as guardian as aforesaid, have requested that the said Administrator deliver to them to apply on the distributive shares due the said Betty Alice Boyes and David Harmon Boyes; upon consideration of all of which, it is, therefore, Ordered, Adjudged and Decreed by the Court as follows:

1. H. England, as Administrator of this said estate, shall be and he is hereby fully authorized, empowered, instructed and directed to deliver the following described personal property belonging to the said estate to Betty Alice Boyes and Martha B. Boyes, as guardian of David Harmon Boyes, a minor, to apply on the distributive shares due the said Betty Alice Boyes and David Harmon Boyes in the administration of this estate:

- 1 1938 Studebaker "President" Sedan; serial number 7123813, motor number B-28820
- 1 Crosley Shelvador electric refrigerator
- 1 Bedroom suite
- 1 Carriall trailer
- 1 Roto-tiller (small tractor)
- 1 lot of miscellaneous tools
- 1 oil heater
- 2 drums of oil
- 1 lot of barbed wire
- 1 lot of miscellaneous building material
- 1 lot of clothes and various personal effects

2. H. England, as Administrator as aforesaid, shall

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take a receipt for the said property from the said Betty Alice Boyes and Martha B. Boyes, as guardian of David Harmon Boyes on delivery of the above described property to the said parties.

ORDERED, ADJUDGED AND DECREED on this the 18th day of April, 1949.

Jeffrey J. Moulton
Judge.

ESTATE OF
GEORGE W. BOYES,
DECEASED.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2242.

PETITION

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

Your Petitioner, H. England, who is over twenty-one years of age and a resident of Baldwin County, Alabama, respectfully represents unto the Court and your Honor as follows:

1. He has been appointed, qualified and is now acting as Administrator of this said estate, the administration of which is now pending in this Court.

2. More than six months have expired since Petitioner was appointed and qualified as such Administrator. No claims have been filed against the said estate and it is fully solvent.

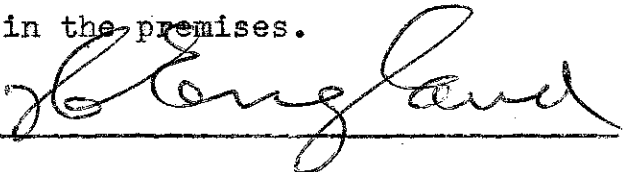
Included among the assets of the said estate is personal property which is specifically described in Exhibit A hereto attached and by reference made a part hereof as though fully incorporated herein.

3. The only persons interested in this estate are Betty Alice Boyes, a daughter of the said Decedent, who is over twenty-one years of age and of sound mind, and David Harmon Boyes, an adopted son, who is a minor, fourteen years of age, for whom Martha B. Boyes has been appointed, qualified and is now acting as his guardian under appointment from the District Court of Lee County, Iowa.

4. The above named Betty Alice Boyes and Martha B. Boyes, as guardian of David Harmon Boyes, have requested that the above described property be delivered to them to apply on the distributive shares due Betty Alice Boyes and David Harmon Boyes.

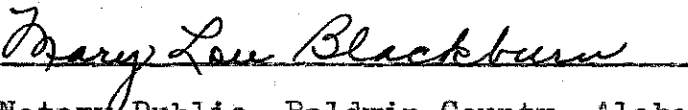
5. Attached to and made a part of this petition is a written instrument executed by Betty Alice Boyes and Martha B. Boyes, as guardian as aforesaid, requesting that the above described property be delivered to them for the aforesaid purposes.

WHEREFORE, Petitioner prays that the Court will take jurisdiction of this petition and make and enter a proper order or decree authorizing Petitioner, as Administrator as aforesaid, to deliver the said personal property to Betty Alice Boyes and Martha B. Boyes, as guardian of David Harmon Boyes, a minor, to apply on their respective distributive shares in this said estate. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.



Petitioner.

Sworn to and subscribed before me
on this the 18th day of April, 1949.



Notary Public, Baldwin County, Alabama.

EXHIBIT A

- 1 1938 Studebaker "President" Sedan; serial number 7123813, motor number B-28820
- 1 Crosley Shelvador electric refrigerator
- 1 Bedroom suite
- 1 Carriall Trailer
- 1 Roto-tiller (small tractor)
- 1 lot of miscellaneous tools
- 1 oil heater
- 2 drums of oil
- 1 lot of barbed wire
- 1 lot of miscellaneous building material
- 1 lot of clothes and various personal effects

STATE OF ALABAMA }
BALDWIN COUNTY }

We, the undersigned Betty Alice Boyes and Martha B. Boyes, as guardian of David Harmon Boyes, a minor, fourteen years of age, have requested that H. England, as Administrator of the Estate of George W. Boyes, Deceased, deliver to us the personal property described in the attached petition, which property, when delivered to us, shall be applied on the distributive shares due the said Betty Alice Boyes and David Harmon Boyes and we waive notice of the filing of the attached petition, consent and agree that it be heard on presentation and pray that the prayer thereof be granted.

Dated this 18th day of April, 1949.

Betty Alice Boyes

Martha B. Boyes

As Guardian of David Harmon Boyes, a Minor.

STATE OF ALABAMA }
BALDWIN COUNTY }

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

Given under my hand and seal on this the 18th day of April, 1949.

Mary Lou Blackburn

Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA }
BALDWIN COUNTY }

I, Mary Lou Blackburn, a Notary Public within and for said County in said State, hereby certify that Martha B. Boyes, whose name as Guardian of David Harmon Boyes, a minor, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she, in her capacity as such Guardian, executed the

RECEIPT

ESTATE OF

GEORGE W. BOYES, DECEASED.

RECORDED

(3) 12-49

RECEIVED
JAN 10 1950
JAN 10 1950

JAN 10 1950

Filed: August 15, 1949.

J. Fair J. Mosbury, Jr.
Judge

The State of Iowa, Lee County, ss.

I, C. T. Hull, Clerk of the District Court in and for said county, do certify that the foregoing is a full, true and correct copy of Letters of Guardianship in the Estate of David Harmon Boyes, a minor child, and that Martha B. Boyes has duly qualified as such guardian according to the laws of the State of Iowa, has given bond, with surety, for the performance of her trust, and said Martha B. Boyes is now the duly qualified and acting guardian of the person and property of said minor as the same appears of record in my office.

Witness my hand and the seal of said Court hereto affixed, at my office in Fort Madison

6th day of January 1949 in said County, on this

By _____ Deputy

Clerk

The State of Alabama,
Baldwin County

Probate Court, August 1948

IN THE MATTER OF THE ESTATE OF George W. Boyes Deceased.
PRESENT, Honorable W. R. Stuart, Judge of Probate.

And now, on this day comes H. England and presents to the Court his petition in writing, under oath, praying that Letters of Administration on the Estate of George W. Boyes, deceased, issue to him, which petition is examined by the Court and ordered to be filed and recorded; and, it appearing to the Court from the allegations contained in said petition, and from other good and sufficient evidence that the said George W. Boyes departed this life ~~in~~ in Baldwin County on or about the 28 day of May, 1948

Being at the time of his death an inhabitant of said County and State; that he died leaving assets in said County and State, which assets, both real and personal, are estimated to be worth about Seventy-seven Hundred Fifty Dollars, consisting of real estate of annual rental of sixty dollars, & personal property valued at \$7750⁰⁰ and leaving no will, testament or other writing, relating to the disposal or distribution of his estate, and that the death of the said decedent was known more than ~~five~~ ⁶⁰ days before this day and ~~now also~~ no one having applied for letters of administration of said estate, and has a of the said intestate, having

~~relinquished~~ right under the statute to administer said estate; and it further appearing to the satisfaction of the Court that H. England the said petitioner is of said deceased, is over twenty-one years of age, an inhabitant of this State, and a fit person, under the law and in the estimation of the Court, to serve as administrator

and no person having appeared to oppose the granting of Letters of Administration to the said H. England, or to show cause why the prayer of said petitioner should not be granted, it is ordered that the same be granted, provided that the said H. England first file in this Court his bond in the penal sum of Sixteen Thousand Dollars, conditioned and payable according to the statutes in such cases made and provided, with such security or securities as may be approved by the Court. It is further ordered that the said petition be recorded.

And now again come H. England and present to the Court for approval his bond in form as by this Court, heretofore, required, with Hartford Accident and Indemnity Company as his securities thereon, and the Court being now sufficiently advised concerning said bond and said security it is ordered and adjudged by the Court that the said bond be taken, approved and recorded.

It is therefore ordered, adjudged and decreed by the Court that Letters of Administration on the estate of said deceased be granted to the said H. England and that he be and hereby is authorized to administer said estate. It is further ordered that the said H. England

proceed immediately to collect and take into his possession the goods and chattels, money, books, papers, and evidences of said debt of the said deceased, except the personal property specifically exempted from administration under the laws of the State of Alabama, and make due return, under oath, to this Court, of a full and complete inventory thereof within two months.

W. R. Stuart

Judge of Probate.

NOTICE OF FINAL SETTLEMENT

ESTATE OF
GEORGE W. BOYES, DECEASED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2242.

TO MARTHA B. BOYES, 718 B AVENUE E., FORT MADISON, IOWA; MARTHA B. BOYES, AS GUARDIAN OF DAVID HARMON BOYES, A MINOR 15 YEARS OF AGE; 718 B AVENUE E., FORT MADISON, IOWA; DAVID HARMON BOYES, 718 B AVENUE E., FORT MADISON, IOWA; BETTY ALICE BOYES, 810 SECOND PLACE, PLAINFIELD, N. J.; AND ALL OTHER PERSONS INTERESTED IN THIS PROCEEDING:

A Petition for Final Settlement of this Estate, accompanied by account and vouchers, having been filed in this cause on this date by H. England as Administrator of this said Estate, notice is hereby given that, pursuant to a Decree of this Court rendered in this cause, I will at 10:00 o'clock A. M., on the 16th day of August, 1949, hold a reference at my office in the Court House of Baldwin County, Alabama, at Bay Minette, Alabama, for the purpose of examining and auditing the said account and considering all other matters in connection with the said Final Settlement of this Estate, at which time and place all persons interested may appear and contest the same if they think proper.

Witness my hand this 26th day of July, 1949.

Alice J. Duck
ALICE J. DUCK,
Register of the Circuit Court of
Baldwin County, Alabama, in Equity.

J. B. BLACKBURN,
Solicitor for Administrator.

ESTATE OF
GEORGE W. BOYES,
DECEASED.

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

REGISTER'S REPORT ON REFERENCE

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

Whereas, by a decree of this Court filed and enrolled in this cause on the 26th day of July, 1949, the Petition for Final Settlement heretofore filed in this cause was referred to the Register of this Court, who was instructed and directed to hold a Reference for the following purposes:

1. Examine and audit the account of the Petitioner and any vouchers filed by him as aforesaid, summon witnesses, if need be, hear testimony and ascertain and report to the Court her conclusions upon the correctness of each statement of account, and in case she shall not allow any item or items as charged by the said Administrator, she shall report the same with her conclusions and the testimony she may have taken upon such item.
2. She shall hear testimony, ascertain and report to the Court whether the heirs and distributees of this said estate are properly set forth in the said Petition for Final Settlement which has been filed in this cause and, if not, who are the said distributees and what are the proportions which they are entitled to share in the said estate.
3. She shall hear testimony, ascertain and report to the Court what is fair compensation to be allowed the said Administrator for his trouble, risk and responsibility in and about the administration of the said estate.
4. She shall hear testimony, ascertain and report to the Court what is a reasonable attorney's or solicitor's fee to be paid to J. B. Blackburn, Solicitor for the said Administrator.
5. She shall hear testimony, ascertain and report if the sum of \$93.56 shall be paid to Martha B. Boyes to reimburse her for payment made as outlined in the said Petition.
6. She shall hear testimony, ascertain and report to the Court whether the remaining averments of the said Petition for

Final Settlement are true.

NOW, THEREFORE, having held a Reference for the purpose of ascertaining the matters called for in the said Decree on Reference, I report as follows:

1. The hearing of the Reference ordered in and by the above described Decree on Reference was had in my office in the Courthouse of Baldwin County, Alabama in Bay Minette, Alabama on the 16th day of August, 1949, after giving notice thereof by publication once a week for three successive weeks in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, which notice appeared in the issues of said paper of July 28th, August 4th and August 11, 1949, a copy of which notice was mailed to Martha B. Boyes, individually, Martha B. Boyes, as Guardian of David Harmon Boyes, and Betty Alice Boyes, who are all of the heirs of the said Decedent, and also by posting a copy of the said notice at the front door of the Courthouse of Baldwin County, Alabama and by appointment of a Guardian Ad Litem for the said minor, David Harmon Boyes, a minor over fourteen years of age. There were present at the said hearing H. England, Administrator of the said estate, J. B. Blackburn, Solicitor for the said Administrator, and J. Jefferson Bennett, Guardian Ad Litem of and for David Harmon Boyes.

2. I report that I have examined and audited the accounts of the Petitioner, as such Administrator, and have also examined and audited the vouchers and statements of account referred to in the said decree and I find each statement of account to be correct and each item thereof properly allowable.

3. I find and report that Martha B. Boyes had not been legally divorced from the said Decedent, George W. Boyes, prior to his death, but further find that her separate estate, exclusive of rents, incomes and profits, is equal to or greater in value than her dower interest or distributive share in this estate and, therefore, because of the provisions of Title 34, Section 42 of the 1940 Code of Alabama, she is not entitled to any dower interest or distributive share in this said estate. The persons entitled to share in the distribution of the assets of this said estate are Betty Alice

Boyes, a daughter of the said Decedent, and David Harmon Boyes, an adopted son of the said Decedent, whose Guardian is Martha B. Boyes, Fort Madison, Iowa. Betty Alice Boyes and the said David Harmon Boyes are each entitled to one-half of the assets of this estate.

4. I find and report that the sum of \$ \$428.21 is fair compensation to be allowed the said Administrator, H. England, for his trouble, risk and responsibility in and about the administration of the said estate, which commissions are itemized as follows: Commissions on receipts and disbursements covering all cash receipts to date, amounting to \$5764.28, except proceeds from sale of land, \$288.21; commissions on receipts and disbursements from sum of \$3800.00 realized from sale of lands, \$100.00; commissions on personal property worth \$800.00, which was distributed in kind, \$40.00. The said commissions do not include commissions which will be due the said Administrator on the sum of \$3100.00, which is due from the Veterans Administration for the things described in Paragraph Numbered 7 of this report.

5. I further find and report that the sum of \$ 500.00 is a reasonable solicitor's fee to be paid to J. B. Blackburn, Solicitor for the said Administrator, for the services rendered by him in this cause.

6. I find and report that the sum of \$93.56 was not a valid charge against this estate or filed as a claim against this estate within six months after appointment of the said Administrator and it is, therefore, disallowed.

7. I further find and report that there is due this said estate the sum of \$3,000.00 on a policy of insurance issued by the Department of Insurance of the United States Veterans Administration on the life of the said Decedent, and which cannot be collected at this time, and the further sum of \$100.00, which is due from the Veterans Administration for burial expenses for the said Decedent. I further find and report that this said sum of money, amounting to \$3100.00, should be equally divided between David Harmon Boyes and Betty Alice Boyes after collection by the said Administrator, less his commissions thereon, which commissions will amount to \$155.00.

8. I further find and report that the Administrator of this said estate did, pursuant to the authority granted to him in this cause, deliver to Betty Alice Boyes and to Martha B. Boyes, as Guardian of David Harmon Boyes, the following described personal property:

- 1 1938 Studebaker "President" Sedan, serial number 7123813, motor number B-28820
- 1 Crosley Shelvador electric refrigerator
- 1 Bedroom suite
- 1 Carriall trailer
- 1 Roto-tiller (small tractor)
- 1 lot of miscellaneous tools
- 1 oil heater
- 2 drums of oil
- 1 lot of barbed wire
- 1 lot of miscellaneous building material
- 1 lot of clothes and various personal effects

9. I further find and report that the court costs incurred in connection with the administration of this estate amount to the sum of \$ 159.07, which includes the sum of \$100.00 for Guardian Ad Litem fee which I find and report to be reasonable compensation for all of the services rendered in this cause by J. Jefferson Bennett, as Guardian Ad Litem of and for the said minor, David Harmon Boyes.

10. I further find and report that the remaining averments of the said Petition for Final Settlement are true.

All of which is respectfully submitted on this the 16th day of August, 1949.

Alice J. Duck
Register.

Received from H. England, as Administrator of the Estate of George W. Boyes, Deceased, the sum of \$1425.00, being the net proceeds due the undersigned from the insurance collected from the Veterans Administration, as provided in the decree on final settlement of the Estate of George W. Boyes, Deceased, rendered in and by the Circuit Court of Baldwin County, Alabama, in Equity, on August 16, 1949.

In consideration of the said payment, the undersigned has and does hereby release and discharge the said Administrator from all claims and demands of every kind and nature which she has against him.

DATED on this the 26th day of June, 1950.

Betty Alice Boyes

STATE OF NEW JERSEY)
UNION COUNTY }

I, Harriet C. Niles, a Notary Public, within and for said County in said State, hereby certify that Betty Alice Boyes, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 26th day of June, 1950.

Harriet C. Niles

Notary Public, Union County, New Jersey.

Received from H. England, as Administrator of the Estate of George W. Boyes, Deceased, the sum of \$1425.00, being the net proceeds due the undersigned from the insurance collected from the Veterans Administration, as provided in the decree on final settlement of the Estate of George W. Boyes, Deceased, rendered in and by the Circuit Court of Baldwin County, Alabama, in Equity, on August 16, 1949.

In consideration of the said payment, the undersigned has and does hereby release and discharge the said Administrator from all claims and demands of every kind and nature which she has against him.

DATED on this the 28th day of ~~June~~, ^{August, 1951.} 1950.

Martha B. Boyes

As Guardian of David Harmon Boyes

STATE OF IOWA)
LEE COUNTY)

I, R. L. Fehske, a Notary Public, within and for said County in said State, hereby certify that Martha B. Boyes, whose name as Guardian of David Harmon Boyes is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she, in her capacity as such Guardian, executed the same voluntarily on the day the same bears date.

28th day of ~~June~~, ^{August, 1951.} 1950.

R. L. Fehske

Notary Public, Lee County, Iowa

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

Your Petitioner, H. England, who is over twenty-one
years of age and a resident of Baldwin County, Alabama, respectfully
represents unto the Court and your Honor as follows:

1. George W. Boyes, a resident of Baldwin County,
Alabama, died intestate in Baldwin County, Alabama on May 26, 1948,
leaving personal property valued at Seventy-seven Hundred Fifty
Dollars (\$7750.00), and not probably more, and real estate having
an annual rental value of Sixty Dollars (\$60.00), and not probably
more.

2. The heirs of the said decedent are Betty Alice
Boyes, a daughter, whose residence and post office address is Plain-
field, New Jersey, and David Harmon Boyes, a son, whose residence
and post office address is Fort Madison, Iowa. The said David Har-
mon Boyes is a minor.

3. More than sixty days have expired since the death
of the said decedent. No person having a prior right to be appoint-
ed Administrator has made application for such appointment and Pe-
titioner has been requested by the heirs of the said decedent to
act as Administrator of the said estate.

WHEREFORE, Petitioner prays that Letters of Administra-
tion on the said estate be granted to him upon his entering into
bond with requisite surety in the manner prescribed by law. Pe-
titioner further prays that such other orders be made and decrees
rendered as may be requisite and proper in the premises.


Petitioner.

Sworn to and subscribed before me on
this the 14th day of August, 1948.


Notary Public, State of Alabama at Large.

ESTATE OF
GEORGE W. BOYES,
DECEASED.

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

DECREE REMOVING ADMINISTRATION

This cause coming on to be heard on this date is submitted on the petition of H. England, from which it appears that he has been appointed, qualified and is now acting as Administrator of this said estate, which is now pending in the Probate Court of Baldwin County, Alabama, and that the said estate can be better administered in the Circuit Court of Baldwin County, Alabama, in Equity, whereupon, it is, therefore, Ordered, Adjudged and Decreed by the Court as follows:

1. This said estate shall be and it is hereby removed from the Probate Court of Baldwin County, Alabama to the Circuit Court of Baldwin County, Alabama, sitting in Equity.

2. The Register of this Court shall forthwith deliver a copy of this decree to the Probate Court of Baldwin County, Alabama, which shall transfer all papers relative to the administration of the said estate to the said Equity Court.

ORDERED, ADJUDGED AND DECREED on this the 21st day of February, 1949.

Julius J. Mashburn, Jr.
Judge.

ESTATE OF
GEORGE W. BOYES,
DECEASED.

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

PETITION TO REMOVE ADMINISTRATION

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

Your Petitioner, H. England, who is over twenty-one
years of age and a resident of Baldwin County, Alabama, respect-
fully represents unto the Court and your Honor as follows:

1. He was heretofore appointed, qualified and is now
acting as Administrator of the Estate of George W. Boyes, which is
now pending in the Probate Court of Baldwin County, Alabama.

2. Because of the broader powers of the Circuit Court
of Baldwin County, Alabama, in Equity, the said estate can be bet-
ter administered in the said Equity Court.

WHEREFORE, Petitioner prays that the Court will make and
enter a proper order or decree, removing the said administration
from the Probate Court of Baldwin County, Alabama to the Circuit
Court of Baldwin County, Alabama, sitting in Equity. Petitioner
further prays that such other orders be made and decrees rendered
as may be requisite and proper in the premises.

Respectfully submitted,

x H. England

Petitioner.

STATE OF ALABAMA X
BALDWIN COUNTY X

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

x H. England

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

J. B. Blum
Notary Public, State of Alabama at Large.

ESTATE OF
GEORGE W. BOYES, DECEASED.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA.

PETITION TO REMOVE PROPERTY OF WARD TO ANOTHER
STATE.

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

Your Petitioner, Martha B. Boyes, who is over twenty-one years of age and a resident of Fort Madison, Iowa, respectfully represents unto the Court and your Honor as follows:

1. She has been heretofore appointed and is now acting as guardian of David Harmon Boyes, a minor, fourteen years of age, in and by the District Court of Lee County, Iowa, as will appear from the attached transcript of the records of the said Court, which are certified as required by the Federal Statutes, showing that she has been appointed as guardian of the said minor in the State of Iowa, in which she and the ward reside; that she has duly qualified as such guardian according to the laws of Iowa and given bond with surety for the performance of the trust.

2. Petitioner further shows unto the Court that the said minor is one of the two heirs of George W. Boyes, Deceased, who died intestate in Baldwin County, Alabama on May 26, 1948. Letters of Administration have been issued to H. England, as Administrator of the said estate, who is now acting as such Administrator.

3. Petitioner desires to remove all of the assets of the said estate and all money coming therefrom, which belongs to the said ward, from Baldwin County, Alabama to the state of her residence, which is also the place of residence of the said ward.

WHEREFORE, Petitioner prays that the Court will take jurisdiction of this petition and appoint and set a day to hear it, as required by Title 21, Section 115 of the 1940 Code of Alabama, and that notice of the filing of the said petition and of the date set for hearing same be given to H. England, Administrator of the Estate of George W. Boyes, Deceased, in the form and manner prescribed by law. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

Martha B. Boyes

Sworn to and subscribed before me on
this the 28th day of December, 1948.

Betty R. Buck

Notary Public, Baldwin County, Alabama.

ESTATE OF
GEORGE W. BOYES, DECEASED.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

ANSWER

I, the undersigned Martha B. Boyes, as Guardian of David Harmon Boyes, do hereby waive notice of the filing of the Petition in the Circuit Court of Baldwin County, Alabama to sell real property belonging to the said estate for division between the joint owners of the said property, namely, Betty Alice Boyes and David Harmon Boyes.

Dated this 1st day of March, 1949.

Martha B. Boyes

STATE OF IOWA
LEE COUNTY

I, R. L. Schaeke, a Notary Public within and for said County in said State, hereby certify that Martha B. Boyes, whose name as Guardian of David Harmon Boyes, a minor, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she, in her capacity as such Guardian, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 1st day of March, 1949.

R. L. Schaeke

Notary Public, Lee County, Iowa.

AFFIX SEAL.

ESTATE OF
GEORGE W. BOYES, DECEASED.

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

DECREE

This cause coming on to be heard on this date is submitted on the Petition filed in this cause on this date by H. England, as Administrator of this said estate, in which he prays for authority to sell real property belonging to this said estate for division, the waiver of notice of Martha B. Boyes, as Guardian of David Harmon Boyes, and the answer of Betty Alice Boyes, in which she consents and agrees that the prayer of the Petition be granted, from all of which it appears that the said minor, David Harmon Boyes, is a non-resident of the State of Alabama and upon further consideration of all of which, it is, therefore, Ordered, Adjudged and Decreed by the Court as follows:

1. This cause shall be and it is hereby set for hearing at ten o'clock A. M. on March 18th, 1949.


2. The said David Harmon Boyes being a minor and a non-resident of the State of Alabama, further notice of the filing of the said Petition and of the date set for hearing same shall be given to him by appointment of a Guardian Ad Litem to represent him in this cause.

3. Jeff Bennett, an Attorney at Law and Solicitor in Chancery, practicing at Bay Minette, Alabama, who is not of kin or counsel to any of the parties interested in this proceeding and not in any way interested in this cause, and who is a fit and proper person to be appointed as Guardian Ad Litem for the said minor, David Harmon Boyes, shall be and he is hereby appointed as Guardian Ad Litem to represent him in this proceeding and protect his interest in this cause.

ORDERED, ADJUDGED AND DECREED on this the 9th day of March, 1949.

Felzer J. Mathews
Judge.

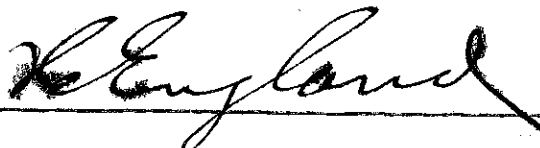
the said David Harmon Boyes; that on the date set for hearing this Petition the Court will make and enter a proper order or decree, authorizing Petitioner, as Administrator of this said estate, to sell the said property at public sale for the purpose of a division of the proceeds from the said sale between the joint owners of the said property. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.



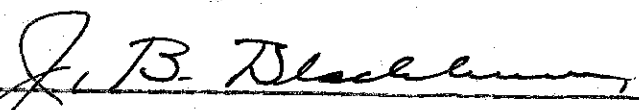
STATE OF ALABAMA

BALDWIN COUNTY

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



Sworn to and subscribed before me on
this the 1st day of March,
1949.



Notary Public, Baldwin County, Alabama.

ESTATE OF
GEORGE W. BOYES, DECEASED.

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

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

Your Petitioner, H. England, who is over twenty-one years of age and a resident of Baldwin County, Alabama, respectfully represents unto the Court and your Honor as follows:

1. He has been appointed, qualified and is now acting as Administrator of this said estate, the administration of which is now pending in this Court.

2. The said estate owns a tract of land in Baldwin County, Alabama, which is described as follows, to-wit:

East Half of the Southeast Quarter of the
Northeast Quarter; Northeast Quarter of the
Northeast Quarter, Section 13, Township 6
South, Range 2 East, containing 60 acres,
more or less.

The said land cannot be equitably divided between the heirs of the said decedent, who are the joint owners thereof, without a sale of the said property and a division of the proceeds.

3. The heirs of the said decedent are Betty Alice Boyes, a daughter, who is over twenty-one years of age and of sound mind, whose residence and post office address is in Plainfield, New Jersey, and David Harmon Boyes, an adopted son, who is a minor fourteen years of age, whose residence and post office address is Fort Madison, Iowa, where he resides with his mother, Martha B. Boyes. Martha B. Boyes has been appointed, qualified and is now acting as Guardian of David Harmon Boyes in and by the District Court of Lee County, Iowa.

4. The said Betty Alice Boyes and David Harmon Boyes each own a one-half interest in the said property.

WHEREFORE, Petitioner prays that the Court will take jurisdiction of this Petition, appoint and set a day to hear it and give notice of the filing of this said Petition and of the date set for hearing same to all necessary and proper parties in the form and manner prescribed by law; appoint a Guardian Ad Litem to represent

ESTATE OF
GEORGE W. BOYES, DECEASED.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 2242.

DECREE

This cause coming on to be heard on this date is submitted on the Petition of H. England as Administrator of this Estate filed in this cause on March 9, 1949, the Answer of Betty Alice Boyes and the Answer of Martha B. Boyes as Guardian of David Harmon Boyes filed in this cause on March 9, 1949, the Decree of this Court dated March 9, 1949, setting a date for hearing this cause and appointing a Guardian Ad Litem to represent David Harmon Boyes, the minor interested in this proceeding, the Appointment, Acceptance and Answer of the Guardian Ad Litem, the Order of this Court continuing this cause from March 18 to March 19, 1949, and the Testimony as noted by the Register, from all of which it appears that the Decedent owned at the time of his death the following described property situated in Baldwin County, Alabama, to-wit:

East Half of the Southeast Quarter of the
Northeast Quarter; Northeast Quarter of the
Northeast Quarter, Section 13, Township 6
South, Range 2 East, containing 60 acres,
more or less;

that the said property cannot be equitably divided between the heirs of the said Decedent without a sale thereof and a division of the proceeds, that the heirs of the said Decedent are Betty Alice Boyes, a daughter who is over twenty-one years of age and of sound mind, and David Harmon Boyes, an adopted son who is a minor fourteen years of age, and that Martha B. Boyes has been appointed, qualified, and is now acting as Guardian of the said minor in Lee County, Iowa, upon consideration of all of which it is therefore Ordered, Adjudged and Decreed by the Court as follows:

1. The Petition filed in this cause on March 9, 1949, by H. England as Administrator of this said Estate be and the same is hereby granted, and the said H. England as Administrator as aforesaid is hereby directed to sell the said land belonging to the said Estate, which is the following described property situated

in Baldwin County, Alabama, to-wit:

East Half of the Southeast Quarter of the
Northeast Quarter; Northeast Quarter of the
Northeast Quarter, Section 13, Township 6
South, Range 2 East, containing 60 acres,
more or less,

for division among the heirs of the said Decedent, that the said land be sold at public outcry to the highest bidder for cash on April 18, 1949, at the front door of the Court House at Bay Minette, in Baldwin County, Alabama, and the said Administrator is directed to advertise for three weeks the day, place and terms of the sale and a description of the property to be sold in a newspaper published in Baldwin County, Alabama.

2. The said Administrator shall report the said sale and his actions in the premises to this Court.

ORDERED, ADJUDGED AND DECREED this 19th day of March, 1949.

J. G. M. M. M. M. M.
Judge.

ESTATE OF
GEORGE W. BOYES, DECEASED

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

REPORT OF SALE OF LAND FOR DIVISION
TO THE HONORABLE TELFAIR MASHBURN, JR., CHANCELLOR:

Comes H. England, administrator of the estate of George W. Boyes, Deceased, and respectfully represents unto your Honor as follows:

1. That on the 9th day of March, 1949, your Petitioner filed in this Court his application, in writing, duly verified by affidavit, for the sale of certain lands for division among the heirs of Decedent, which said lands are particularly described as follows:

East Half of the Southeast Quarter of the
Northeast Quarter; Northeast Quarter of the
Northeast Quarter, Section 13, Township 6
South, Range 2 East, containing 60 acres,
more or less, in Baldwin County, Alabama.

That on the 19th day of March, 1949, an order was made directing the sale of said lands for the purpose set forth in said application.

2. That, pursuant to said order and decree, notice of the time, place and terms of sale, together with a description of the property, was given by publication thereof, in the Baldwin Times, a newspaper published in Baldwin County, Alabama, once a week for three successive weeks, and said property was sold on the 18th day of April, 1949, pursuant to said order and decree, to Betty Alice Boyes, who was the highest, best and last bidder therefor, for the sum of Thirty-eight Hundred Dollars (\$3800.00), all of which amount has been paid in cash.

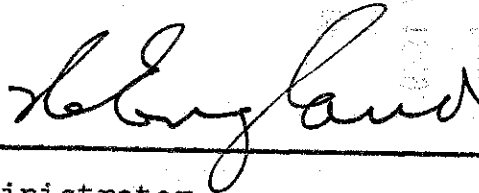
3. That said sale was fairly conducted in all respects, as is required by law in such cases, and your Petitioner verily believes that the price for which said land was sold is not greatly less than the real value of the same, and is, in his opinion, fair and reasonable.

4. That your Petitioner had no personal pecuniary interest in this sale, and that he did not become a purchaser at said sale either directly or indirectly.

5. That Jeff Bennett, an attorney of Baldwin County, Alabama, served as guardian ad litem in this cause, representing a minor child, and that he should receive a reasonable fee for his services, which should be included in the costs of this suit.

The premises considered, your Petitioner prays that an order be made by your Honor confirming said sale in all respects, and that a reasonable fee be granted the guardian ad litem in this case.

Respectfully submitted unto your Honor on this the 16th day of May, 1949.



Administrator.

STATE OF ALABAMA |
BALDWIN COUNTY |

Before me, the undersigned authority, in and for said County and State, H. England, who, being by me duly sworn, deposes and says that the matters and things set forth in the foregoing Petition are true to the best of his knowledge and belief.

Given under my hand this 16th day of May, 1949.


Notary Public, Baldwin County, Alabama.

ESTATE OF
GEORGE W. BOYES, DECEASED

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

DECREE CONFIRMING SALE OF LANDS

Came, on the 17th day of May, 1949, H. England, Administrator of the Estate of George W. Boyes, Deceased, and filed in this Court his report in writing and under oath, of the sale of certain lands belonging to the Estate of George W. Boyes, Deceased, which said lands are described in said report as follows, to-wit:

East Half of the Southeast Quarter of the Northeast Quarter, Northeast Quarter of the Northeast Quarter, Section 13, Township 6 South, Range 2 East, containing 60 acres, more or less, in Baldwin County, Alabama.

And it appearing to the Court from said report and from the evidence submitted therewith that the allegations contained in said report are true and that notice of the time, place and terms of sale, together with a description of the property was given by publication thereof once a week for three successive weeks in The Baldwin Times, a newspaper published in Baldwin County, Alabama; and that said sale was in all respects fairly and legally conducted pursuant to the law in such cases made and in strict accordance with an order or decree made by this Court on the 19th day of March, 1949; and it further appearing that at said sale, Betty Alice Boyes was the highest, best and last bidder and became the purchaser of said property at and for the sum of Thirty-eight Hundred Dollars (\$3800.00), and that said amount has been paid in cash to said H. England as such Administrator; and it further appearing to the satisfaction of the Court that the said sum of \$3800.00 is not greatly less than the real value of said property.

It is therefore Ordered, Adjudged and Decreed by the Court that said sale be and is hereby in all things ratified and confirmed. It is further Ordered that said H. England execute and deliver to said Betty Alice Boyes a deed conveying to her all of the right, title, interest and estate which said Decedent had at the time of his death in and to said property. And it is further ordered that

Jeff Bennett, an attorney of Baldwin County, Alabama, who served as Guardian Ad Litem in this cause representing a minor child, receive a fee of \$ 50⁰⁰~~xx~~ for his services, which should be included in the cost of this suit.

ORDERED, ADJUDGED AND DECREED on this the 11th day of June, 1949.

J. Fair J. Madlbury, Jr.
Judge.

ESTATE OF
GEORGE W. BOYES, DECEASED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2242.

PETITION FOR FINAL SETTLEMENT

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

Your Petitioner, H. England, who is over Twenty-one years of age and a resident of Baldwin County, Alabama, respectfully represents unto the Court and your Honor as follows:

1. He was heretofore on, to-wit, August 17, 1948, appointed by the Probate Court of Baldwin County, Alabama, as Administrator of this said Estate and since his said appointment he has acted as such Administrator and has handled the affairs of the said Estate to the best of his ability.

2. After Petitioner's appointment as such Administrator, the administration of this said Estate was removed from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, Equity Side, where it is now pending.

3. More than six months have expired since Petitioner was appointed and qualified as Administrator of this said Estate; all claims filed against the said Estate have been paid; there is no need for continuing the administration of the said Estate and it should now be fully and finally settled.

4. Petitioner, as such Administrator, has collected and charges himself with the following: May 25, 1948, Amount collected from Bank of Fairhope, being amount on deposit to credit of Decedent at the time of his death, \$5,621.49; November 1, 1948, Amount received from sale of pecans, \$75.00; February 16, 1949, Cash on person of Decedent at the time of his death, \$5.21; and on the same date, Amount collected from First National Bank, Martinsville, Virginia, being amount on deposit to credit of Decedent at the time of his death, \$41.84; April 27, 1949, Amount realized from sale of real property belonging to Decedent, which property was sold to Betty Alice Boyes, \$3800.00; May 2, 1949, Sale of U. S. Bond, \$20.75; Total Receipts, \$9,564.29.

Petitioner has expended the following sums, for which he should receive credit in this settlement: April 28, 1948, Martha B. Boyes, funeral expenses of Decedent, \$546.79; October 30, 1948, Baldwin County Insurance Agency, premium on Administrator's bond, \$72.00; December 28, 1948, Tax Collector of Baldwin County, Alabama, for ad valorem taxes due by Estate, \$15.37; Total Disbursements, \$634.16.

In addition to the disbursements shown above, Martha B. Boyes has paid the sum of \$93.56, due by the said Decedent to the Commonwealth of Virginia, and to the City of Roanoke, Virginia, for taxes as shown by the receipt which has been filed in this cause, which payment has not been refunded to her by Petitioner as such Administrator. Petitioner desires to pay the said claim to the said Martha B. Boyes provided he is authorized on final settlement of this Estate to make such payment.

RECAPITULATION:

Total Receipts	\$9,564.29 ✓
Total Disbursements	<u>634.16</u> ✓
Balance on Hand	\$8,930.13 ✓

5. At the time Petitioner filed his application for appointment as Administrator of this said Estate he was advised, and therefore alleged, in the said Petition that the Decedent, George W. Boyes, had been divorced from his wife, Martha B. Boyes, and therefore she was not listed as an heir or distributee. Since Petitioner's appointment as said Administrator, he has been advised that the said George W. Boyes and the said Martha B. Boyes had not been divorced prior to the death of George W. Boyes. The other heirs of the said Decedent are Betty Alice Boyes, a daughter who is over twenty-one years of age, whose residence and post office address is Plainfield, New Jersey, and David Harmon Boyes, an adopted son who is now approximately 15 years of age, whose residence and post office address is Fort Madison, Iowa, where he resides with his mother, Martha B. Boyes, who has been appointed, qualified, and is now acting as his guardian under appointment from the District Court of Lee County, Iowa.

Petitioner has not used any of the funds of said Estate, or any part thereof, for his own benefit, either directly or indirectly.

The premises considered, Petitioner prays that the Court will take jurisdiction of this Petition and will, by a proper decree, refer it to the Register of this Court with instructions to hold a reference after giving notice to all necessary and proper parties in the form and manner prescribed by law, and after said reference shall determine the following:

1. Examine and audit the accounts of Petitioner and the vouchers filed by Petitioner. Hear testimony, ascertain and report to the Court her conclusions on the correctness of each item of account and in case she shall not allow any item or items as charged by the said Administrator, she shall report with her conclusions the testimony taken upon such item.

2. Ascertain and report to the Court whether the heirs of the said George W. Boyes, Deceased, are properly set forth in the said Petition for Final Settlement filed in this cause, and the proportions in which they are respectably entitled to share in the Estate, and, particularly, if Martha B. Boyes was divorced from the said George W. Boyes prior to his death.

3. Ascertain and report to the Court what is fair compensation to be allowed Petitioner as said Administrator for his trouble, risk and responsibility in and about the administration of this said Estate.

4. Ascertain and report what is a reasonable attorney's fee to be paid to J. B. Blackburn, Solicitor for the said Administrator.

5. Ascertain and report if the sum of \$93.56 shall be paid to Martha B. Boyes to reimburse her for payment made as outlined in the foregoing Petition.

6. Ascertain and report to the Court whether the remaining averments of the said Petition for Final Settlement are true.

Petitioner further prays that on the filing of the Register's report in this cause that this Court will make and enter a proper order and decree fully and finally settling this said Estate and discharging Petitioner as such Administrator and the Surety

on his bond from all other and further liability because of the administration of the said Estate. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

Respectfully submitted.

x H. England

Petitioner.

STATE OF ALABAMA |
BALDWIN COUNTY |

Before me, the undersigned authority within and for said County in said State, personally appeared H. England, who, after being by me first duly and legally sworn, deposes and says that he has read over the foregoing Petition and that the facts stated therein are true.

x H. England

Sworn to and subscribed before me
on this the 23 day of July, 1949.

J. B. Blalock
Notary Public, Baldwin County, Alabama.

ESTATE OF
GEORGE W. BOYES,
DECEASED.

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

ORDER APPOINTING GUARDIAN AD LITEM

In this cause it has been made to appear to the Court that the Petition for Final Settlement heretofore filed in this cause was referred to the Register of this Court, who was instructed to hold a Reference for the purposes provided in the decree heretofore rendered in this cause and dated the 26th day of July, 1949, which Reference has been set by the Register for ten o'clock A. M. on August 16, 1949, and that David Harmon Boyes, a minor, fifteen years of age, who is one of the heirs of the said Decedent, has not nominated a Guardian Ad Litem to represent him in this cause.

It further appears to the Court that it is necessary that a Guardian Ad Litem be appointed to represent the said minor on the said Reference and in connection with the final settlement of this estate.

It further appearing to the Court that J. Jefferson Bennett, of Fairhope, Alabama, an Attorney at Law and Solicitor in Chancery, practicing in Baldwin County, Alabama, is not of kin or counsel to any of the parties interested in this proceeding, or interested in this proceeding in any way and is in all respects a fit and proper person to be appointed as such Guardian Ad Litem for the said minor, David Harmon Boyes:

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the said J. Jefferson Bennett be and he is hereby appointed as Guardian Ad Litem to represent the said minor, David Harmon Boyes, in connection with the Reference that has been set in this cause for August 16, 1949 and in connection with all matters pertaining to the final settlement of this estate.

It is further ordered that the said Guardian Ad Litem have notice of his appointment.

ORDERED, ADJUDGED AND DECREED on this the 16th day of August, 1949.

J. J. Marshall
Judge.

ESTATE OF
GEORGE W. BOYES,
DECEASED.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NOTICE OF APPOINTMENT, ACCEPTANCE AND ANSWER
OF GUARDIAN AD LITEM.

TO J. JEFFERSON BENNETT, ESQUIRE:

You are hereby notified that you have been appointed as Guardian Ad Litem to represent David Harmon Boyes, a minor interested in this proceeding, at the Reference to be held in this cause on August 16, 1949 and in connection with all matters pertaining to the final settlement of this said estate.

WITNESS my hand on this the 16th day of August, 1949.

W. L. L. L. L.
Register.

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned J. Jefferson Bennett, do hereby accept appointment as Guardian Ad Litem of and for the said minor, David Harmon Boyes, and for answer to the Petition for Final Settlement heretofore filed in this cause deny each and all of the allegations thereof and demand strict proof of same.

Dated this 16th day of August, 1949.

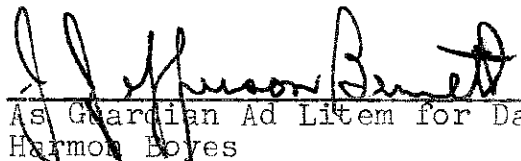
J. Jefferson Bennett
Guardian Ad Litem.

ESTATE OF
GEORGE W. BOYES, Deceased

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

ANSWER

Now comes David Harmon Boyes by J. Jefferson Bennett as his guardian ad litem and for answer to the petition filed in this cause on March 9, 1949, denies each and all of the allegations thereof and demands strict proof of same.


As Guardian Ad Litem for David
Harmon Boyes

(THE ESTATE OF GEORGE W. BOYES)
deceased.

IN CIRCUIT COURT FOR
BALDWIN COUNTY, ALABAMA,
in equity.

WAIVER OF EXCEPTION TO REPORT OF REGISTER

Comes now J. Jefferson Bennett as Guardian Ad Litem for David Harmon Boyes, in the above styled cause and, having examined the report of the register on the reference for final settlement, does hereby waive all right to reservation of any exceptions to said report and hereby consents to the issuance of a decree based thereon without further notice.

J. Jefferson Bennett
J. Jefferson Bennett as Guardian
Ad Litem for David Harmon Boyes

ESTATE OF
GEORGE W. BOYES,
DECEASED.

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

DECREE ON FINAL SETTLEMENT

This cause coming on again to be heard is submitted on the Register's Report on Final Settlement and waiver of right of parties who participated in Reference to file exceptions or objections thereto.

It appears from the said Report that the said Reference was held, as provided in the decree rendered in this cause on July 26, 1949, at ten o'clock A. M. on Tuesday, August 16, 1949; that due notice of the time, place and purpose of said Reference was given to all necessary and proper parties, all of whom are non-residents of the State of Alabama, except the said Administrator, H. England, by publication of notice of the said Reference in the Baldwin Times, a newspaper published at Bay Minette in Baldwin County, Alabama, the said notice appearing in the issues of said paper of July 28th, August 4th and August 11, 1949, by mailing a copy of the said notice to each of the said non-resident parties and by posting a copy thereof at the front door of the Courthouse at Bay Minette in Baldwin County, Alabama; that the Register examined and audited the vouchers and statement of account filed by the said Administrator and found it to be correct and each expenditure made by the said Administrator properly allowable; that the parties entitled to share in the assets of the said estate are properly set forth in the said Petition; that the remaining material averments of the said Petition are true; that all parties who participated in the said Reference have waived their right to file exceptions or objections thereto and that the said Report should now be confirmed and this estate settled; WHEREUPON, it is, therefore, Ordered, Adjudged and Decreed by the Court as follows:

1. The Report of the Register filed in this cause and dated August 16, 1949 shall be and the same is hereby confirmed in all respects.

2. The account contained in the Petition for Final Settlement filed herein on the 26th day of July, 1949, shall be and it is hereby, in all respects, passed and allowed as stated. H. England, as Administrator of this said estate, is allowed credit for all funds and assets distributed, as shown by the said Petition for Final Settlement which was filed in this cause on July 26, 1949. It appears from the said Petition for Final Settlement that the said Administrator did, prior to the time of the filing of the said Petition, collect in cash the total sum of \$9564.29 and that he expended, prior to the filing of the said Petition for Final Settlement, the sum of \$634.16, leaving a net cash balance in possession of the said Administrator, at the time of the filing of the said Petition, of \$8930.13. In the said Register's Report she has allowed Administrator's commissions to date, amounting to \$428.21, attorney's fee, amounting to \$500.00, a bond premium amounting to \$36.00, making a total of \$964.21, in addition to which the court costs incurred, which are a common charge and which should be paid before dividing the balance on hand between the heirs and distributees of the said Decedent, amount to the sum of \$59.07, making the total net balance available for distribution in this settlement at this time amount to the sum of \$7906.85. After dividing the said amount of \$7906.85 between the two said heirs and distributees, the amount due each of them will be \$3953.42 for Betty Alice Boyes and \$3953.43 for David Harmon Boyes. The Register has reported that the sum of \$100.00 is reasonable compensation to be paid to the Guardian Ad Litem who represented the said minor, David Harmon Boyes, in this proceeding, which sum should be deducted from the amount that he will receive and after making this deduction the amount due Betty Alice Boyes in this settlement will be the sum of \$3953.42 and the amount due Martha B. Boyes, as Guardian of David Harmon Boyes, a minor, will be \$3853.43. The said Administrator is hereby authorized, empowered, instructed and directed to pay the said amounts to the said heirs and distributees, take their receipts therefor and file them in this cause.

3. The sum of \$428.21, having been allowed by the Register to the said Administrator as and for the amount of his commissions due on receipts up to the time of the filing of the said Final Decree and disbursements made up to the said time and provided in this decree, is hereby confirmed and the said Administrator is authorized, empowered, instructed and directed to pay to himself the said sum of \$428.21 from the funds of this said estate and take his receipt therefor.

4. The sum of \$500.00, having been fixed and allowed by the Register as attorney's fee to J. B. Blackburn, the said Administrator's Solicitor of record, is hereby confirmed. The said Administrator is authorized, empowered, instructed and directed to pay the said J. B. Blackburn the said sum of \$500.00 from the funds of the said estate and take his receipt therefor.

5. The Register having found and reported that Martha B. Boyes, widow of the said Decedent, was not divorced from him prior to his death, but that her separate estate, exclusive of rents, incomes and profits, is equal to or greater in value than her dower interest or distributive share in this said estate and, therefore, because of the provisions of Title 34, Section 42 of the 1940 Code of Alabama, she is not entitled to any dower interest or distributive share in this said estate. The persons entitled to share in the distribution of the assets of this said estate are Betty Alice Boyes, a daughter of the said Decedent, who is over twenty-one years of age and of sound mind, and David Harmon Boyes, an adopted son of the said Decedent, whose Guardian is Martha B. Boyes, of Fort Madison, Iowa, who is acting as such Guardian under appointment from the District Court of Lee County, Iowa. There has been heretofore filed in this cause a certified copy of the Letters of Guardianship by the District Court of Lee County, Iowa to Martha B. Boyes, as Guardian of David Harmon Boyes, a minor, which shows that she has given bond with surety for the performance of her said trust, which Letters are certified as required by the Federal Statutes. H. England, as Administrator of the said estate, is authorized, empowered, instructed and directed to pay to Betty Alice Boyes from the funds of the said estate the sum of \$3953.42 and to Martha B. Boyes, as Guardian of

David Harmon Boyes the sum of \$3853.43, being the amount due each of the said heirs and distributees by the said Administrator at this time.

6. The Register having found and reported that the sum of \$93.56 paid by Martha B. Boyes for taxes was not a proper claim against this estate. The said claim is, therefore, disallowed. The Register having found and reported that there is due this estate the sum of \$3,000.00 on a policy of insurance issued by the Department of Insurance of the United States Veterans Administration on the life of the Decedent, which cannot be collected at this time, and the further sum of \$100.00, which is due from the Veterans Administration for burial expenses for the said Decedent. Because of these things, this said estate cannot be completely settled at this time. H. England, as Administrator of this said estate, is authorized, empowered, instructed and directed to collect the said sum of \$3100.00 as soon as possible and after collecting the said sum, shall take therefrom his commissions, amounting to the sum of \$155.00, which have been reported by the Register, which finding is hereby confirmed, and then divide the remainder of the said fund and pay it to Betty Alice Boyes and to Martha B. Boyes, as Guardian of David Harmon Boyes, in equal shares and take their respective receipts therefor. On the payment of the said sums and the filing of the receipts therefor, the said Administrator and the surety on his bond shall be and they are hereby relieved of and discharged from all other and further liability because of the administration of the said estate.

7. All of the assets of this said estate having been distributed in this settlement, except the said sum of \$3100.00, the bond of the said Administrator shall be and it is hereby reduced from the sum of \$17,500 to the sum of \$6200.00. It appearing to the Court that the sum of \$36.00 is the amount that the said Administrator will be required to pay for the said \$6200.00 bond, he is authorized, empowered, instructed and directed to pay the bond premium to the said surety and take its receipt therefor.

8. The Register having found and reported that the personal property, which is specifically described in Paragraph Numbered 8 of the Register's Report filed in this cause, was heretofore delivered to Betty Alice Boyes and Martha B. Boyes, as Guardian of David Harmon Boyes, to apply on their respective Distributee's shares in the said estate, the said action of the said Administrator is, in all respects, ratified and confirmed and he is hereby relieved of and discharged from all other and further liability because of the said property so delivered.

9. The Register having found and reported that \$159.07 is the amount of court costs incurred in the administration of this estate, which includes the sum of \$100.00 allowed as a fee for the Guardian Ad Litem, who represented the said David Harmon Boyes in this proceeding, the said action is hereby confirmed and the said Administrator is hereby authorized, empowered, instructed and directed to pay the said court costs to the Register of this Court and take her receipt therefor.

10. On payment by the said Administrator of the Administrator's commissions, attorney's fee, bond premium and court costs, as provided in this decree, the said Administrator and the surety on his bond shall be and they are hereby relieved of and discharged from all liability in connection with the administration of this said estate, except for the sum of \$3100.00 due this estate by the Veterans Administration, as provided in Paragraph Numbered 6 of this decree.

11. Jurisdiction of this cause is reserved for such other and further orders or decrees, which may become necessary or proper.

ORDERED, ADJUDGED AND DECREED on this the 16th day of August, 1949.

Jeffair J. Mashburn, Jr.
Judge.

The State of Alabama, Baldwin County

PROBATE COURT

LETTERS OF ADMINISTRATION

On the estate of George W. Boyes, deceased,

are hereby granted to H. England

who has duly qualified and given bond as such Administrator^{OR}, and is authorized to administer such estate.

Witness my hand, and dated this 17th day of August, A.D., 1948.

Code 1923—5743

W.R. Smith

Judge of Probate.

THE STATE OF ALABAMA

Baldwin County.

PROBATE COURT

ESTATE OF

George W. Boyes

Deceased.

H. England

Administrat. 95

Letters of Administration

See 009111

700 2 242 -
ANSWER

ESTATE OF
GEORGE W. WILKINS DECEASED.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

FILED
MAR 9 1949
ALICE J. DUCK, Register

In Equity # 2242

RECORDED
Estate of Geo. W. Rouse
deceased

Waiver to Exceptions
in Register's Report on
Final Settlement

Filed: August 16, 1949.

J. Fair J. Mablebury
Judge

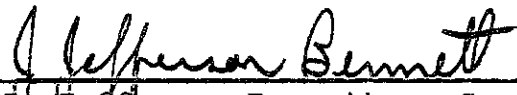
J. Jefferson Bennett,
Atty at Law,
Fairhope, Ala.

(THE ESTATE OF GEORGE W. BOYES)
deceased.

IN CIRCUIT COURT FOR
BALDWIN COUNTY, ALABAMA,
in equity.

WAIVER OF EXCEPTION TO REPORT OF REGISTER

Comes now J. Jefferson Bennett as Guardian Ad Litem for David Harmon Boyes, in the above styled cause and, having examined the report of the register on the reference for final settlement, does hereby waive all right to reservation of any exceptions to said report and hereby consents to the issuance of a decree based thereon without further notice.



J. Jefferson Bennett as Guardian
Ad Litem for David Harmon Boyes

Answer of Hdn. ad Litem.

Estate of Geo. W. Baynes,
Deceased

RECORDED

In the Circuit Court
of
Baldwin County, Alabama,
In Equity

Filed 3-19-49

Doris J. Welch
Registrar

Notice of Appointment, Acceptance
and Answer of Guardian Ad Litem.

ESTATE OF

GEORGE W. BOYES, DECEASED.

RECORDED

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

8-16-49

REPORT OF SALE

RECORDED

ESTATE OF
GEORGE W. BOYES, DECEASED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

FILED

MAY 17 1949

ALICE J. DUCK, Register

Administratrix

STATE OF ALABAMA

BALDWIN COUNTY

That we, the undersigned, being duly qualified, do hereby certify that the within and foregoing report of sale of the property of the estate of George W. Boyes, deceased, as set forth in the report of sale, was made in accordance with the provisions of the Alabama Code, and that the same is correct and true to the best of our knowledge and belief.

Witness my hand and seal this 17th day of May, 1949.

ALICE J. DUCK, Register