

IN RE:

PETITION OF BLANDIE STONE, ON
BEHALF OF HER RESPECTIVE CHILDREN,
NAMELY,-

RUTH STONE,
NORBORNE CLARKE STONE, and
FRANK STONE,
FOR AUTHORITY TO JOIN IN A DEED OF
PARTITION FOR THE SALE OF CERTAIN
REAL ESTATE ON BEHALF OF AND IN THE
NAME OF HER SAID MINOR CHILDREN.

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: IN THE CIRCUIT COURT OF
:
: BALDWIN COUNTY, ALABAMA.
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THIS MATTER COMING ON TO BE HEARD, and being sub-
mitted to the Circuit Court of Baldwin County, Alabama, sitting
in Equity, upon the petition of Blandie Stone, and upon her affi-
davit; and,

IT APPEARING TO THE COURT from said petition, and
from said affidavit, that Ruth Stone, Norborne Clarke Stone and
Frank Stone are all minors under the age of fourteen years, and
are living with their mother, your petitioner, Blandie Stone, in
Baldwin County, Alabama, and are each respectively vested with an
undivided 4/342nds interest in the real estate hereinafter describ-
ed; and

IT FURTHER APPEARING to the Court that it is great-
ly to the interest of the said minor children that the undivided
72/342nds interest now vested in the said Harry T. Smith, Wm. G.
Caffey, Ruth Stone, Norborne Clarke Stone, Frank Stone, Mrs. Annie
Kirk, Mrs. Alice Horn and Anderson Stone, should be set apart to
them, in order that the same may be sold and the proceeds distri-
buted amongst them, according to their respective interests, and
it further appearing to the Court that the said Elizabeth Knudsen,
as Trustee, aforesaid, is willing to join in said partition; and

IT FURTHER APPEARING to the Court that under an
agreement between the said Elizabeth Knudsen, as Trustee, and
Harry T. Smith and Wm. G. Caffey, the said Harry T. Smith and Wm.
G. Caffey have caused the Durant Engineering Company to examine
said lands and to select 800 acres of land, a conveyance of which
to the said Harry T. Smith, Wm. G. Caffey, Ruth Stone, Norborne

Clarke Stone, Frank Stone, Mrs. Annie Kirk, Mrs. Alice Horn and Anderson Stone, and a conveyance of the balance of the said lands to the said Elizabeth Knudsen, as Trustee, would constitute a fair and equitable partition; and

IT FURTHER APPEARING to the court that it is greatly to the interest of the said minors that said lands should be so partitioned and that the interest of the said Harry T. Smith, Wm. G. Caffey, Ruth Stone, Norborne Clarke Stone, Frank Stone, Mrs. Annie Kirk, Mrs. Alice Horn and Anderson Stone should be set apart to them jointly, and that the said lands so set apart to them should then be sold for partition amongst them;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said Blandie Stone be and she is hereby authorized, on behalf of and in the name of her three children, namely,- Ruth Stone, Norborne Clarke Stone and Frank Stone,- to agree upon the partition of said lands in the manner hereinabove indicated, and to join with the other tenants in common in such mutual conveyances as may be necessary, and proper, in order to accomplish the aforesaid purpose by vesting in Harry T. Smith, Wm. G. Caffey, Ruth Stone, Norborne Clarke Stone, Frank Stone, Mrs. Annie Kirk, Mrs. Alice Horn and Anderson Stone the said title to the following described property:

The following described tract of land, consisting of 800 acres, more or less, and situate, lying and being in the County of Washington, State of Alabama, and more particularly described as follows, namely:

The East half of the Northwest quarter, and the Southeast quarter of Section 22, Township 3 North, Range 3 West;

The East half of Section 27, Township 3 North, Range 3 West; and

The Northeast quarter, and the North half of the Southeast quarter of Section 34, Township 3 North, Range 3 West.

The said grantees to take in the following proportions, namely:

Harry T. Smith	8/18ths.
Wm. G. Caffey	4/18ths.
Mrs. Annie Kirk	1/18th.
Mrs. Alice Horn	1/18th.
Anderson Stone	1/18th.
Ruth Stone	1/18th.
Norborne Clarke Stone	1/18th.
Frank Stone	1/18th.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, upon the setting aside of the said 800 acres, the said Blandie Stone be and she is hereby authorized, for and on behalf of the said Ruth Stone, Norborne Clarke Stone and Frank Stone, to join the other tenants in common in said 800 acres in a sale and conveyance thereof, at any price that they may be able to obtain of not less than \$1.50 per acre, and to execute whatever may be necessary to the accomplishment of this purpose, and that upon the sale of the said lands there shall be paid from the proceeds thereof all taxes due upon the undivided 72/342nds interest represented by the said 800 acres of land, and to refunding to Harry T. Smith and Wm. G. Caffey the taxes which they have paid upon said interest during the time the said lands have been held as tenants in common, as described in the petition in this case, and that there shall further be paid therefrom the expense of making said sale and executing proper conveyance to the purchasers, and that the said Blandie Stone shall be further authorized to receive that portion of the said proceeds, subject to said deductions, as may be distributed to her said children, namely,- Ruth Stone, Norborne Clarke Stone and Frank Stone,- and she shall report the doings under this conveyance to this court for its further orders as to the disposition of the monies thus coming into her hands and belonging to her said children; and

IT FURTHER APPEARING to the court that in order to accomplish said partition of the said real estate the said Harry T. Smith and Wm. G. Caffey have incurred liability to the Durant

Engineering Company in the sum of \$100.00 for the work and labor which they have done in making proper surveys to ascertain and determine the lands which should be conveyed to Harry T. Smith, Wm. G. Caffey, Mrs. Annie Kirk, Mrs. Alice Horn, Anderson Stone, Ruth Stone, Norborne Clark Stone and Frank Stone, as their share of the said lands; and

IT FURTHER APPEARING that they have done so under an agreement with Elizabeth Knudsen, as Trustee, that there should be conveyed to them twenty (20) acres of lands which would otherwise be included in the part set apart to Elizabeth Knudsen, as Trustee, and it further appearing that it is necessary, in order to perfect the title of the said Harry T. Smith and Wm. G. Caffey to the said twenty (20) acres that the other tenants in common should join in said conveyance:

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the mutual conveyances hereinabove authorized shall convey to Harry T. Smith and Wm. G. Caffey the following described land, consisting of twenty acres, more or less, and situate, lying and being in the County of Washington, State of Alabama, and more particularly described as follows:

"The North half of the Northeast quarter of the Southwest quarter of Section 22, Township 3 North, Range 3 West, Washington County, Alabama."

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that there shall be conveyed to the said Elizabeth Knudsen, Trustee, as aforesaid, all of the remainder of said tract of land, that is, there shall be conveyed to her the following portion of said tract of land, situate, lying and being in the County of Washington, State of Alabama, and more particularly described as follows, namely:-

The West half of the Southwest quarter; the Southeast quarter of the Southwest quarter; and the South half of the Northeast quarter of the Southwest quarter of Section 22, Township 3 North, Range 3 West;

The East half of the Northwest quarter, and the Northeast quarter, and the South half of Section 21, Township 3 North, Range 3 West;

The Southwest quarter of the Northeast quarter; the Northeast quarter of the Southeast quarter; and the South half of the Southeast quarter of Section 20, Township 3 North, Range 3 West;

West half of Section 27, Township 3 North, Range 3 West;

The North half and the Southeast quarter, and the North half of the Southwest quarter, and the Southeast quarter of the Southwest quarter, and all that portion of the Southwest quarter of the Southwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section 28, Township 3 North, Range 3 West;

The Northeast quarter of the Northeast quarter, and all that portion of the Northeast quarter of the Southeast quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section 29, Township 3 North, Range 3 West;

The Northwest quarter of Section 34, Township 3 North, Range 3 West;

The North half of the Southwest quarter of Section 34, Township 3 North, Range 3 West;

The Northeast quarter and the East half of the Southeast quarter, and all that portion of the Northwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad, and all that portion of the Southwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad, and all that portion of the West half of the Southeast quarter lying North and East of the right of way of the Mobile and Ohio Railroad, in Section 35, Township 3 North, Range 3 West; and

All that portion of the Northeast quarter of the Northeast quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section 4, Township 2 North, Range 3 West; and

The Southeast quarter of the Northeast quarter, and the East half of the Southwest quarter of the Northeast quarter, and all that portion of the South half of the Northwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section 3, Township 2 North, Range 3 West.

Dated this the _____ day of _____, 1932.

JUDGE.

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

Now comes your petitioner, Blandie Stone, and shows unto your Honor as follows:-

1. That she is over the age of twenty-one years, and that she resides in Bay Minette, Baldwin County, Alabama.

2. That she is the widow of Norborne Stone, who died intestate in Baldwin County, Alabama, in the month of February, 1931, leaving your petitioner, his widow, and three (3) minor children, namely, Ruth Stone, who is now nine years of age; Norborne Clarke Stone, who is now seven years of age, and Frank Stone, who is now three years of age, all of whom reside with their mother, who is your petitioner, in Baldwin County, Alabama, and that your petitioner is the duly qualified administratrix of the estate of her said husband, Norborne Stone, deceased.

3. Your petitioner further shows unto your Honor that at the time of the death of her husband, Norborne Stone, who died in Baldwin County, Alabama, in February, 1931, he was vested with an undivided interest in certain real estate situate, lying and being in the County of Washington, State of Alabama, and more particularly described as follows, viz.:-

The East half of the Northwest quarter, and the South half of Section Twenty-two (22);

The East half of the Northwest quarter, and the Northeast quarter and the South half of Section twenty-one (21);

The Southwest quarter of the Northeast quarter, and the Northeast quarter of the Southeast quarter, and the South half of the Southeast quarter of Section Twenty (20);

All of Section Twenty-seven (27);

The North half and the Southeast quarter, and the North half of the Southwest quarter, and the Southeast quarter of the Southwest quarter and all that portion of the southwest quarter of the Southwest

quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section Twenty-eight (28);

The Northeast quarter of the Northeast quarter, and all that portion of the Northeast quarter of the Southeast quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section twenty-nine (29);

The North half and the North half of the Southeast quarter, and the North half of the Southwest quarter of Section Thirty-four (34);

The Northeast quarter and the East half of the Southeast quarter, and all that portion of the Northwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad, and all that portion of the Southwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad, and all that portion of the West half of the Southeast quarter lying north and east of the right of way of the Mobile and Ohio Railroad, in Section Thirty-three (33);

All in Township Three (3) North, Range Three (3) West;

And all that portion of the Northeast quarter of the Northeast quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section Four (4);

The Southeast quarter of the Northeast quarter and the East half of the Southwest quarter of the Northeast quarter and all that portion of the South half of the Northwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section Three (3);

All in Township Two (2) North, Range Three (3) West.

4. Your petitioner alleges that the said real estate hereinabove described is now owned by a number of persons, as tenants in common, that is to say, that Miss Elizabeth Knudsen, who resides in Los Angeles, California, is the owner of an undivided $270/342$ nds interest in said property, as Trustee for herself and a number of other persons, amongst whom is Mrs. Anna N. Kendall; that Harry T. Smith, who is over the age of twenty-one years, now owns an undivided $32/342$ nds interest in said property; that Wm. C. Caffey, who is over the age of twenty-one years, now owns an undivided $16/342$ nds interest in said property; that your petitioner's husband, Norborne Stone, owned, at the time of his death, an undivided $12/342$ nds interest in said property, which descended, subject to your petitioner's dower interest, to her three (3) minor children above named, share and

share alike; that Frank Stone, the father of your petitioner's husband, died intestate in Baldwin County, Alabama, where he then resided, on the day of , leaving surviving him a widow, Mary Alice Stone, who now resides in Bay Minette, Alabama, and three (3) children, all of whom are over the age of twenty-one years, viz.: Mrs. Annie Kirk, the wife of C. Bradley Kirk, and who resides at Thomasville, Alabama; Mrs. Alice Horn, the wife of Marvin Horn, and who resides at 2521 Calhoun Street, New Orleans, Louisiana, and Anderson Stone, who resides at Bay Minette, Alabama, each of whom inherited, subject to the dower interest of Mrs. Mary Alice Stone, an undivided $\frac{4}{32}$ nds interest in said property.

5. Your petitioner further shows unto your Honor that the said lands are not fit for profitable cultivation; that they have very little timber standing thereon, and are practically unsalable in small quantities, but that if the interests of Harry T. Smith, Wm. G. Caffey, and the children of the said Frank Stone and the said Norborne Stone could be set apart to them jointly, this interest would amount to 800 acres, which could probably be sold for approximately \$1.50 an acre; that Harry T. Smith and Wm. G. Caffey have recently received an offer upon this basis, and that Miss Elizabeth Knudsen, as Trustee aforesaid, has agreed that if the children of the said Frank Stone will join with them, and if your petitioner will obtain authority from this Honorable Court to do so, and will join in said conveyance on her own behalf and on behalf of and in the name of her said children, she, Miss Elizabeth Knudsen, as Trustee aforesaid, will join in a partition upon the basis of her conveying to the said Harry T. Smith, Wm. G. Caffey, and the ^{said} children of Frank Stone and of Norborne Stone, 800 acres of said land which has been set apart by the Durant Engineering Company / ^{as representing, and} which would represent a fair and equitable partition, which said 800 acres are situate, lying and being in the County of Washington, State of Alabama, and are more par-

ticularly described as follows, viz.:-

The East half of the Northwest quarter and the Southeast quarter of Section 22, Township 3 North, Range 3 West;

The East half of Section 27, Township 3 North, Range 3 West;

The Northeast quarter and the North half of the Southeast quarter of Section 34, Township 3 North, Range 3 West.

6. Your petitioner further shows unto the Court that it is probable that in making said partition, the said Miss Elizabeth Knudsen, as Trustee aforesaid, may desire to have a certain definite portion of said lands, other than those which are to be set apart to the said Harry T. Smith, Wm. G. Caffey and the children of the said Frank Stone and Norborne Stone, set apart to Anna N. Kendall, who is one of her cestui que trusts, who desires to separate her interest from those of the other cestui que trusts, but the said Harry T. Smith, Wm. G. Caffey and the children of the said Frank Stone and Norborne Stone are in no wise interested in this matter, and there is no reason why the deed of partition should not be so framed, if desirable to Miss Elizabeth Knudsen, Trustee, and Anna N. Kendall.

7. Your petitioner further shows unto Your Honor that it is greatly to the interest of her said minor children that this partition should be had, and that the said lands so partitioned to the said Harry T. Smith, Wm. G. Caffey and the children of the said Frank Stone and the said Norborne Stone should be then sold and conveyed to the purchaser at whatever price can be obtained therefor, not less than \$1.50 per acre.

8. And your petitioner further shows unto Your Honor that in order to obtain a proper survey and ascertain what would be a fair and proper partition of said lands, it was agreed between the said Harry T. Smith and Wm. G. Caffey, on the one part, and Elizabeth Knudsen, as Trustee, on the other part, that the said Harry T. Smith and Wm. G. Caffey should employ Durant Engineering Company to make said partition, and that

the said Harry T. Smith and Wm. G. Caffey should pay to the said Durant Engineering Company the sum of \$100.00 for their services in doing so, and should receive, in return, a conveyance of twenty acres of the undivided interest of Elizabeth Knudsen, as Trustee, in said lands, which they have agreed shall consist of:

"The North half of the Northeast quarter of the Southwest quarter of Section 22, Township 3 North, Range 3 West, Washington County, Alabama.

Your petitioner, therefore, prays this Honorable Court that it is to the interest of her said minor children that she be authorized on behalf of her said minor children,- Ruth Stone, Norborne Clark Stone and Frank Stone, and in their name, to join the other tenants in common in the execution of mutual conveyances, by which the said Elizabeth Knudsen, as Trustee, aforesaid, shall convey to the said Harry T. Smith, Wm. G. Caffey, and the children of Frank Stone and Norborne Stone, according to their respective proportions, the 800 acres so set apart by the said Durant Engineering Company, and by which the said Harry T. Smith, Wm. G. Caffey and the said children of Frank Stone and Norborne Stone shall convey to the said Elizabeth Knudsen and her cestui que trust, all of the balance of the entire tract except the twenty acres which are to be conveyed to Harry T. Smith and Wm. G. Caffey; and your petitioner further prays that she may be further authorized, on behalf of and in the name of her said minor children, to join in any sale and conveyance of said eight hundred (800) acres that they may be able to make, at a price of not less than \$1.50 per acre, and with the understanding that from the proceeds of said sale the taxes which have been advanced upon said property by the said Harry T. Smith and Wm. G. Caffey, and the costs of making said sale, shall be first deducted from the proceeds, and the balance distributed

according to the respective rights of the parties as herein
set forth.

PETITIONER.

STATE OF ALABAMA }
COUNTY OF _____ }

Personally appeared before me, _____,
a Notary Public in and for said State and County, Blandie Stone,
who, upon oath, deposes and says that she is the Petitioner in the
above and foregoing petition, and that the facts alleged therein
are true.

Subscribed and sworn to before me
this the _____ day of August, 1932.

Notary Public, _____ County, Alabama.

PETITION OF BLANDIE STONE, ON BE-
HALF OF HER RESPECTIVE CHILDREN,
NAMELY, -

RUTH STONE,
NORBORNE CLARKE STONE, and
FRANK STONE,
FOR AUTHORITY TO JOIN IN A DEED OF
PARTITION FOR THE SALE OF CERTAIN
REAL ESTATE ON BEHALF OF AND IN THE
NAME OF HER SAID MINOR CHILDREN.

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

That

R. C. Heard

Made this the 23rd day of August, 1932.

F. W. Hare
JUDGE.

IN RE:

PETITION OF BLANDIE STONE, ON BE-
HALF OF HER RESPECTIVE CHILDREN,
NAMELY,-

RUTH STONE,
NORBORNE CLARKE STONE, and
FRANK STONE,

FOR AUTHORITY TO JOIN IN A DEED OF
PARTITION FOR THE SALE OF CERTAIN
REAL ESTATE ON BEHALF OF AND IN THE
NAME OF HER SAID MINOR CHILDREN.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

This petition being presented to the Court, it is
ordered, adjudged and decreed:

That

he and he is hereby appointed as guardian ad litem for the minors,
Ruth Stone, Norborne Clarke Stone and Frank Stone, in the matter of
this petition, and is hereby directed to examine into said matter
and to take such proceedings in said matter as may seem to the best
interest of said minors.

Made this the _____ day of _____, 1932

JUDGE.

IN RE:

PETITION OF BLANDIE STONE, ON
BEHALF OF HER RESPECTIVE CHILDREN,
NAMELY,-

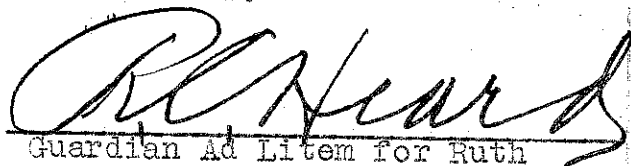
RUTH STONE,
NORBORNE CLARKE STONE,
and FRANK STONE,

FOR AUTHORITY TO JOIN IN A DEED OF
PARTITION FOR THE SALE OF CERTAIN
REAL ESTATE ON BEHALF OF AND IN THE
NAME OF HER SAID MINOR CHILDREN.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Comes R. C. Heard, duly appointed by this Court as the
Guardian Ad Litem for the minors, Ruth Stone, Norborne Clarke
Stone and Frank Stone, in the above matter, by this Court on the
23rd day of August, 1932, and files this, his answer to said Pe-
tition:-

That after considering the facts as set out in said Pe-
tition, the Guardian Ad Litem considers it will be to the best in-
terest of said minors that their legal Guardian, Blandie Stone,
join in said Petition on behalf of said minors.


Guardian Ad Litem for Ruth
Stone, Norborne Clarke Stone
and Frank Stone.

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

Now comes your petitioner, Blandie Stone, and shows unto your Honor as follows:-

1. That she is over the age of twenty-one years, and that she resides in Bay Minette, Baldwin County, Alabama.
2. That she is the widow of Norborne Stone, who died intestate in Baldwin County, Alabama, in the month of February, 1931, leaving your petitioner, his widow, and three (3) minor children, namely, Ruth Stone, who is now nine years of age; Norborne Clarke Stone, who is now seven years of age, and Frank Stone, who is now three years of age, all of whom reside with their mother, who is your petitioner, in Baldwin County, Alabama, and that your petitioner is the duly qualified administratrix of the estate of her said husband, Norborne Stone, deceased.
3. Your petitioner further shows unto your Honor that at the time of the death of her husband, Norborne Stone, who died in Baldwin County, Alabama, in February, 1931, he was vested with an undivided interest in certain real estate situate, lying and being in the County of Washington, State of Alabama, and more particularly described as follows, viz.:-

The East half of the Northwest quarter, and the South half of Section Twenty-two (22);

The East half of the Northwest quarter, and the Northeast quarter and the South half of Section twenty-one (21);

The Southwest quarter of the Northeast quarter, and the Northeast quarter of the Southeast quarter, and the South half of the Southeast quarter of Section Twenty (20);

All of Section Twenty-seven (27);

The North half and the Southeast quarter, and the North half of the Southwest quarter, and the Southeast quarter of the Southwest quarter and all that portion of the southwest quarter of the Southwest

quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section Twenty-eight (28);

The Northeast quarter of the Northeast quarter, and all that portion of the Northeast quarter of the Southeast quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section twenty-nine (29);

The North half and the North half of the Southeast quarter, and the North half of the Southwest quarter of Section Thirty-four (34);

The Northeast quarter and the East half of the Southeast quarter, and all that portion of the Northwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad, and all that portion of the Southwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad, and all that portion of the West half of the Southeast quarter lying north and east of the right of way of the Mobile and Ohio Railroad, in Section Thirty-three (33);

All in Township Three (3) North, Range Three (3) West;

And all that portion of the Northeast quarter of the Northeast quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section Four (4);

The Southeast quarter of the Northeast quarter and the East half of the Southwest quarter of the Northeast quarter and all that portion of the South half of the Northwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section Three (3);

All in Township Two (2) North, Range Three (3) West.

4. Your petitioner alleges that the said real estate hereinabove described is now owned by a number of persons, as tenants in common, that is to say, that Miss Elizabeth Knudsen, who resides in Los Angeles, California, is the owner of an undivided 270/342nds interest in said property, as Trustee for herself and a number of other persons, amongst whom is Mrs. Anna N. Kendall; that Harry T. Smith, who is over the age of twenty-one years, now owns an undivided 32/342nds interest in said property; that Wm. G. Caffey, who is over the age of twenty-one years, now owns an undivided 16/342nds interest in said property; that your petitioner's husband, Norborne Stone, owned, at the time of his death, an undivided 12/342nds interest in said property, which descended, subject to your petitioner's dower interest, to her three (3) minor children above named, share and

share alike; that Frank Stone, the father of your petitioner's husband, died intestate in Baldwin County, Alabama, where he then resided, on the 14th day of *July* - 1926, leaving surviving him a widow, Mary Alice Stone, who now resides in Bay Minette, Alabama, and three (3) children, all of whom are over the age of twenty-one years, viz.: Mrs. Annie Kirk, the wife of C. Bradley Kirk, and who resides at Thomasville, Alabama; Mrs. Alice Horn, the wife of Marvin Horn, and who resides at 2621 Calhoun Street, New Orleans, Louisiana, and Anderson Stone, who resides at Bay Minette, Alabama, each of whom inherited, subject to the dower interest of Mrs. Mary Alice Stone, an undivided 4/342nds interest in said property.

5. Your petitioner further shows unto your Honor that the said lands are not fit for profitable cultivation; that they have very little timber standing thereon, and are practically unsalable in small quantities, but that if the interests of Harry T. Smith, Wm. G. Caffey, and the children of the said Frank Stone and the said Norborne Stone could be set apart to them jointly, this interest would amount to 800 acres, which could probably be sold for approximately \$1.50 an acre; that Harry T. Smith and Wm. G. Caffey have recently received an offer upon this basis, and that Miss Elizabeth Knudsen, as Trustee aforesaid, has agreed that if the children of the said Frank Stone will join with them, and if your petitioner will obtain authority from this Honorable Court to do so, and will join in said conveyance on her own behalf and on behalf of and in the name of her said children, she, Miss Elizabeth Knudsen, as Trustee aforesaid, will join in a partition upon the basis of her conveying to the said Harry T. Smith, Wm. G. Caffey, and the ^{said} children of Frank Stone and of Norborne Stone, 800 acres of said land which has been set apart by the Durant Engineering Company ^{as representing, and} which would represent a fair and equitable partition, which said 800 acres are situate, lying and being in the County of Washington, State of Alabama, and are more par-

ticularly described as follows, viz.:-

The East half of the Northwest quarter and the Southeast quarter of Section 22, Township 3 North, Range 3 West;

The East half of Section 27, Township 3 North, Range 3 West;

The Northeast quarter and the North half of the Southeast quarter of Section 34, Township 3 North, Range 3 West.

6. Your petitioner further shows unto the Court that it is probable that in making said partition, the said Miss Elizabeth Knudsen, as Trustee aforesaid, may desire to have a certain definite portion of said lands, other than those which are to be set apart to the said Harry T. Smith, Wm. G. Caffey and the children of the said Frank Stone and Norborne Stone, set apart to Anna N. Kendall, who is one of her cestui que trusts, who desires to separate her interest from those of the other cestui que trusts, but the said Harry T. Smith, Wm. G. Caffey and the children of the said Frank Stone and Norborne Stone are in no wise interested in this matter, and there is no reason why the deed of partition should not be so framed, if desirable to Miss Elizabeth Knudsen, Trustee, and Anna N. Kendall.

7. Your petitioner further shows unto Your Honor that it is greatly to the interest of her said minor children that this partition should be had, and that the said lands so partitioned to the said Harry T. Smith, Wm. G. Caffey and the children of the said Frank Stone and the said Norborne Stone should be then sold and conveyed to the purchaser at whatever price can be obtained therefor, not less than \$1.50 per acre.

8. And your petitioner further shows unto Your Honor that in order to obtain a proper survey and ascertain what would be a fair and proper partition of said lands, it was agreed between the said Harry T. Smith and Wm. G. Caffey, on the one part, and Elizabeth Knudsen, as Trustee, on the other part, that the said Harry T. Smith and Wm. G. Caffey should employ Durant Engineering Company to make said partition, and that

the said Harry T. Smith and Wm. G. Caffey should pay to the said Durant Engineering Company the sum of \$100.00 for their services in doing so, and should receive, in return, a conveyance of twenty acres of the undivided interest of Elizabeth Knudsen, as Trustee, in said lands, which they have agreed shall consist of:

"The North half of the Northeast quarter of the Southwest quarter of Section 22, Township 3 North, Range 3 West, Washington County, Alabama.

Your petitioner, therefore, prays this Honorable Court that it is to the interest of her said minor children that she be authorized on behalf of her said minor children, - Ruth Stone, Norborne Clarke Stone and Frank Stone, and in their name, to join the other tenants in common in the execution of mutual conveyances, by which the said Elizabeth Knudsen, as Trustee, aforesaid, shall convey to the said Harry T. Smith, Wm. G. Caffey, and the children of Frank Stone and Norborne Stone, according to their respective proportions, the 800 acres so set apart by the said Durant Engineering Company, and by which the said Harry T. Smith, Wm. G. Caffey and the said children of Frank Stone and Norborne Stone shall convey to the said Elizabeth Knudsen and her cestui que trust, all of the balance of the entire tract except the twenty acres which are to be conveyed to Harry T. Smith and Wm. G. Caffey; and your petitioner further prays that she may be further authorized, on behalf of and in the name of her said minor children, to join in any sale and conveyance of said eight hundred (800) acres that they may be able to make, at a price of not less than \$1.50 per acre, and with the understanding that from the proceeds of said sale the taxes which have been advanced upon said property by the said Harry T. Smith and Wm. G. Caffey, and the costs of making said sale, shall be first deducted from the proceeds, and the balance distributed

according to the respective rights of the parties as herein
set forth.

Blandie Stone

PETITIONER.

STATE OF ALABAMA)

COUNTY OF)

Personally appeared before me, RC Heard,

a Notary Public in and for said State and County, Blandie Stone,
who, upon oath, deposes and says that she is the Petitioner in the
above and foregoing petition, and that the facts alleged therein
are true.

Blandie Stone

Subscribed and sworn to before me

this the 19th day of August, 1932.

RC Heard

Notary Public, Baldwin County, Alabama.

IN RE:

PETITION OF BLANDIE STONE, ON
BEHALF OF HER RESPECTIVE CHILDREN,
NAMELY,-

RUTH STONE,
NORBORNE CLARKE STONE, and
FRANK STONE,

FOR AUTHORITY TO JOIN IN A DEED OF
PARTITION FOR THE SALE OF CERTAIN
REAL ESTATE ON BEHALF OF AND IN THE
NAME OF HER SAID MINOR CHILDREN.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

THIS MATTER COMING ON TO BE HEARD, and being sub-
mitted to the Circuit Court of Baldwin County, Alabama, sitting
in Equity, upon the petition of Blandie Stone, and upon her affi-
davit; and,

IT APPEARING TO THE COURT from said petition, and
from said affidavit, that Ruth Stone, Norborne Clarke Stone and
Frank Stone are all minors under the age of fourteen years, and
are living with their mother, your petitioner, Blandie Stone, in
Baldwin County, Alabama, and are each respectively vested with an
undivided 4/342nds interest in the real estate hereinafter describ-
ed; and

IT FURTHER APPEARING to the Court that it is great-
ly to the interest of the said minor children that the undivided
72/342nds interest now vested in the said Harry T. Smith, Wm. G.
Caffey, Ruth Stone, Norborne Clarke Stone, Frank Stone, Mrs. Annie
Kirk, Mrs. Alice Horn and Anderson Stone, should be set apart to
them, in order that the same may be sold and the proceeds distri-
buted amongst them, according to their respective interests, and
it further appearing to the Court that the said Elizabeth Knudsen,
as Trustee, aforesaid, is willing to join in said partition; and

IT FURTHER APPEARING to the Court that under an
agreement between the said Elizabeth Knudsen, as Trustee, and
Harry T. Smith and Wm. G. Caffey, the said Harry T. Smith and Wm.
G. Caffey have caused the Durant Engineering Company to examine
said lands and to select 800 acres of land, a conveyance of which
to the said Harry T. Smith, Wm. G. Caffey, Ruth Stone, Norborne

Clarke Stone, Frank Stone, Mrs. Annie Kirk, Mrs. Alice Horn and Anderson Stone, and a conveyance of the balance of the said lands to the said Elizabeth Knudsem, as Trustee, would constitute a fair and equitable partition; and

IT FURTHER APPEARING to the court that it is greatly to the interest of the said minors that said lands should be so partitioned and that the interest of the said Harry T. Smith, Wm. G. Caffey, Ruth Stone, Norborne Clarke Stone, Frank Stone, Mrs. Annie Kirk, Mrs. Alice Horn and Anderson Stone should be set apart to them jointly, and that the said lands so set apart to them should then be sold for partition amongst them;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said Blandie Stone be and she is hereby authorized, on behalf of and in the name of her three children, namely,- Ruth Stone, Norborne Clarke Stone and Frank Stone,- to agree upon the partition of said lands in the manner hereinabove indicated, and to join with the other tenants in common in such mutual conveyances as may be necessary, and proper, in order to accomplish the aforesaid purpose by vesting in Harry T. Smith, Wm. G. Caffey, Ruth Stone, Norborne Clarke Stone, Frank Stone, Mrs. Annie Kirk, Mrs. Alice Horn and Anderson Stone the said title to the following described property:

The following described tract of land, consisting of 800 acres, more or less, and situate, lying and being in the County of Washington, State of Alabama, and more particularly described as follows, namely:

The East half of the Northwest quarter, and the Southeast quarter of Section 22, Township 3 North, Range 3 West;

The East half of Section 27, Township 3 North, Range 3 West; and

The Northeast quarter, and the North half of the Southeast quarter of Section 34, Township 3 North, Range 3 West.

The said grantees to take in the following proportions, namely:

Harry T. Smith	8/18ths.
Wm. G. Caffey	4/18ths.
Mrs. Annie Kirk	1/18th.
Mrs. Alice Horn	1/18th.
Anderson Stone	1/18th.
Ruth Stone	1/18th.
Norborne Clarke Stone	1/18th.
Frank Stone	1/18th.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, upon the setting aside of the said 800 acres, the said Blandie Stone be and she is hereby authorized, for and on behalf of the said Ruth Stone, Norborne Clarke Stone and Frank Stone, to join the other tenants in common in said 800 acres in a sale and conveyance thereof, at any price that they may be able to obtain of not less than \$1.50 per acre, and to execute whatever may be necessary to the accomplishment of this purpose, and that upon the sale of the said lands there shall be paid from the proceeds thereof all taxes due upon the undivided 72/342nds interest represented by the said 800 acres of land, and to refunding to Harry T. Smith and Wm. G. Caffey the taxes which they have paid upon said interest during the time the said lands have been held as tenants in common, as described in the petition in this case, and that there shall further be paid therefrom the expense of making said sale and executing proper conveyance to the purchasers, and that the said Blandie Stone shall be further authorized to receive that portion of the said proceeds, subject to said deductions, as may be distributed to her said children, namely,- Ruth Stone, Norborne Clarke Stone and Frank Stone,- and she shall report the doings under this conveyance to this court for its further orders as to the disposition of the monies thus coming into her hands and belonging to her said children; and

IT FURTHER APPEARING to the court that in order to accomplish said partition of the said real estate the said Harry T. Smith and Wm. G. Caffey have incurred liability to the Durant

Engineering Company in the sum of \$100.00 for the work and labor which they have done in making proper surveys to ascertain and determine the lands which should be conveyed to Harry T. Smith, Wm. G. Caffey, Mrs. Annie Kirk, Mrs. Alice Horn, Anderson Stone, Ruth Stone, Norborne Clarke Stone and Frank Stone, as their share of the said lands; and

IT FURTHER APPEARING that they have done so under an agreement with Elizabeth Knudsen, as Trustee, that there should be conveyed to them twenty (20) acres of lands which would otherwise be included in the part set apart to Elizabeth Knudsen, as Trustee, and it further appearing that it is necessary, in order to perfect the title of the said Harry T. Smith and Wm. G. Caffey to the said twenty (20) acres that the other tenants in common should join in said conveyance:

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the mutual conveyances hereinabove authorized shall convey to Harry T. Smith and Wm. G. Caffey the following described land, consisting of twenty acres, more or less, and situate, lying and being in the County of Washington, State of Alabama, and more particularly described as follows:

"The North half of the Northeast quarter of the Southwest quarter of Section 22, Township 3 North, Range 3 West, Washington County, Alabama."

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that there shall be conveyed to the said Elizabeth Knudsen, Trustee, as aforesaid, all of the remainder of said tract of land, that is, there shall be conveyed to her the following portion of said tract of land, situate, lying and being in the County of Washington, State of Alabama, and more particularly described as follows, namely:-

The West half of the Southwest quarter;
the Southeast quarter of the Southwest quarter; and the South half of the Northeast quarter of the Southwest quarter of Section 22, Township 3 North, Range 3 West;

The East half of the Northwest quarter, and the Northeast quarter, and the South half of Section 21, Township 3 North, Range 3 West;

The Southwest quarter of the Northeast quarter; the Northeast quarter of the Southeast quarter; and the South half of the Southeast quarter of Section 20, Township 3 North, Range 3 West;

West half of Section 27, Township 3 North, Range 3 West;

The North half and the Southeast quarter, and the North half of the Southwest quarter, and the Southeast quarter of the Southwest quarter, and all that portion of the Southwest quarter of the Southwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section 28, Township 3 North, Range 3 West;

The Northeast quarter of the Northeast quarter, and all that portion of the Northeast quarter of the Southeast quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section 29, Township 3 North, Range 3 West;

The Northwest quarter of Section 34, Township 3 North, Range 3 West;

The North half of the Southwest quarter of Section 34, Township 3 North, Range 3 West;

The Northeast quarter and the East half of the Southeast quarter, and all that portion of the Northwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad, and all that portion of the Southwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad, and all that portion of the West half of the Southeast quarter lying North and East of the right of way of the Mobile and Ohio Railroad, in Section 33, Township 3 North, Range 3 West; and

All that portion of the Northeast quarter of the Northeast quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section 4, Township 2 North, Range 3 West; and

The Southeast quarter of the Northeast quarter, and the East half of the Southwest quarter of the Northeast quarter, and all that portion of the South half of the Northwest quarter lying North and East of the right of way of the Mobile and Ohio Railroad in Section 3, Township 2 North, Range 3 West.

Dated this the 3rd day of Sept., 1932.

J. W. Hare
JUDGE.