

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

RUBY LEE FOWLER, AS GUARDIAN

Complainant

VS.

LANDY O. FOWLER, MIRRIAM JULIA FOWLER
AND MUREL RUTH FOWLER.

Respondent

I, Hazel Nell

as ~~Register and~~ Commissioner

have called and caused to come before me Ruby Lee Fowler and W. D. Stapleton

witnesses named in the Requirement for Oral Examination, on the 14 day of February 1947, at the office of W. C. Beebe. in Bay Minette, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Ruby Lee Fowler and W. D. Stapleton doth depose and say as follows:

My name is Ruby Lee Fowler. I am the guardian of the persons and estates of Landy O. Fowler, Mirriam Julia Fowler and Mural Ruth Fowler by appointment of the Probate Court of Baldwin County, Ala. December 3, 1946. I am over the age of twenty-one years and reside in Baldwin County, Alabama. Landy O. Fowler is sixteen years of age, Mirriam Ruth Fowler is twelve years of age and Mural Ruth Fowler is eleven years of age. They reside with me and are in my custody at Stapleton. Said minors are my children by my former husband, O. L. Fowler, who is dead. At the time of his death, O. L. Fowler owned the North half of the Northwest quarter of the Northwest quarter (N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 2, Township 3 South, Range 3 East, Baldwin County, Alabama, containing 20 acres. The said minor children are the owners of the said land by inheritance from their father, O. L. Fowler, who died intestate, April 8, 1938. My only interest in the said property is a dower interest as a widow of the said O. L. Fowler. Eugene Fowler, who is over the age of twenty-one years and resides at Stapleton Alabama is an Uncle of the said minors and next of kin to them and not interested in this proceedings. The said lands consist of twenty acres, practically all of which cleared. The fencing around the same is in a bad state of repair. The house is almost entirely rotted down and is of little value. Neither I nor the children have any monies to keep said property in repair. I without sufficient funds to properly maintain, support and educate said children. The eldest girl, Mirriam, is in bad health. It is to the best interest to the said minors and of the estate that the said property be sold for their support, maintenance and education. Rufus Mann has offered \$1600.00 for said lands and the said sum is a fair and reasonable value of it. I have entered into a contract to sell him said lands at said price for cash. A copy of which said contract I attach to my deposition and mark exhibit "A". The lands lie between five and six miles from Bay Minette on the Pine Grove Road.

Cross examination by Mr. Telfair Mashburn, guardian ad litem.

The children and I own a hundred acres where we live at Stapleton with a good home on it. About seven acres of the land is clear and is in good shape, free from mortgages and liens. I have discussed selling this property to several different parties and have been offering prices from \$800.00 to \$1300.00. The \$1600.00 offered by Mr. Mann is the best offer I could get for it.

Ruby Lee Fowler

ORAL EXAMINATION.

I, Hazle Nell, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition ~~s~~ on Oral Examination was taken down by me in writing in the words of the witness ~~es~~ and read over to them and they signed the same in the presence of myself, W. C. Beebe and Telfair Mashburn at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ~~es~~ or had proom made before me of the identity of said witness ~~es~~; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

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

Given under my hand and seal, this 14 day of February, 1947.

Hazel Nell
Hazel Nell (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

RUBY LEE FOWLER, AS

GUARDIAN

vs. Complainant

LANDY O. FOWLER, MIRRIAM JUTIA
FOWLER & MURAT RUTH FOWLER

Respondent.

Oral Deposition

Filed 2-15-, 1947

Allice Welch, Register.
Recorded in _____

Record _____

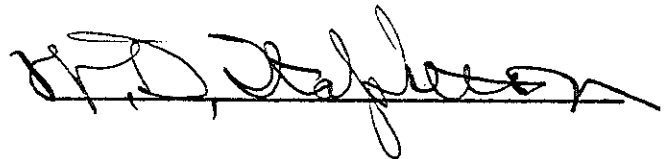
Vol. _____ Page _____

_____, Register.

My name is W. D. Stapleton. I am over the age of twenty-one years. I am in the real estate and insurance business, and have been continuously for fifteen years and more. I know the N $\frac{1}{2}$ of NW $\frac{1}{2}$ of NW $\frac{1}{2}$ of Section 2, Township 3 South, Range 3 East. It is about six miles on the Pine Grove road. I know the value of property in and around Bay Minette and the value of this particular piece of property. Its a value is around \$800.00 to \$1000.00.

Cross examination by Mr. Telfair Mashburn, guardian ad litem.

I frequently see the property. There is a small delapidated house on it. I was taking into consideration the value of the house when I stated the value of the land.

A handwritten signature in dark ink, appearing to read 'W. D. Stapleton', written over a horizontal line.

RUBY LEE FOWLER, AS
GUARDIAN OF THE PERSONS
AND ESTATES OF LANDY O.
FOWLER, MIRRIAM JULIA
FOWLER AND MUREL RUTH
FOWLER,

COMPLAINANT,

VS.

LANDY O. FOWLER, MIRRIAM
JULIA FOWLER AND MUREL
RUTH FOWLER,

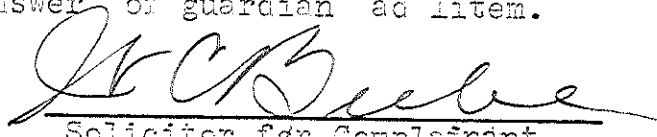
DEFENDANTS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY:

This cause is submitted for final decree on behalf of the Petitioner on the bill of complaint; the appointment of guardian ad litem, his acceptance and answer; the deposition and exhibits thereto attached of Ruby Lee Fowler and W. D. Stapleton, and on behalf of the Defendants on the appointment, acceptance and answer of guardian ad litem.


Solicitor for Complainant


Guardian ad litem

Register.

①

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

Comes your Petitioner, Ruby Lee Fowler, and respectfully show unto your Honor:

FIRST: That your Petitioner is over the age of twenty
one years and a resident of Baldwin County, Alabama.

SECOND: That Landy O. Fowler, a minor whose age is
sixteen years, Marriam Julia Fowler, a minor whose age is
twelve years, and Murel Ruth Fowler, a minor whose age is
eleven years, are the children of this Petitioner and are
in the custody of this Petitioner and are residents of
Baldwin County, Alabama.

THIRD: That said minors own as tenant in common
real property in Baldwin County, subject to the dower right
of your petitioner, real property the annual rental of
which is one hundred twenty five dollars; that they own
said property as the heirs of O. E. Fowler, deceased, their
father; that it is necessary and proper that guardianship
be appointed over the person and the estate of the said
minors.

WHEREFORE, Petitioner prays this Honorable Court will
issue letters of guardianship to her over the person and
estate of the said minors, upon her entering into such bond
with sureties as this court shall require.

Ruby Lee Fowler

Sworn to and subscribed before me this the 26th
day of November, 1946.

Hagell I. Nall
Notary Public, Baldwin County, Alabama.

RUBY LEE FOWLER, AS GUARDIAN.....
Complainant,
VS.
LANDY C. FOWLER, MIRAL RUTH FOWLER,
& MIRRIAM JULIA FOWLER Respondent.

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

NO. 1785.....

DEMAND FOR ORAL EXAMINATION.

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from
Bay Mettette, in the County of Baldwin.

Alabama, the place of trial of said cause, to-wit:.....Ruby Lee Fowler and.....

.....W. D. Stapleton.....

2. That said complainant requires an oral examination of said witnesses before a commissioner appointed by the Register of this Court.

WCB
Solicitor for Complainant.

NOTE:

Complainant suggests the name of.....Hazel Hall.....,

as a suitable and competent person to act as commissioner upon the examination of said witnesses.

W. C. Beebe
Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION.

Ruby Lee Fowler.....

Complainant,

Vs.

Landy O. Fowler and Mural
Ruth Fowler and Mirriam Julia,
Fowler. Respondent.

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

Filed this 8 day of July,

1947

Alise J. Welch
Register.

RUBY LEE FOWLER, AS GUARDIAN
OF THE PERSONS AND ESTATES OF
LANDY O. FOWLER, MIRRIAM JULIA
FOWLER AND MUREL RUTH FOWLER,

Complainant;

VS.

LANDY O. FOWLER, MIRRIAM JULIA
FOWLER AND MUREL RUTH FOWLER,

Defendants.

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

ANSWER OF GUARDIAN AD LITEM.

Comes Telfair J. Mashburn, Jr., heretofore
appointed as guardian ad litem in this cause to represent
and act as guardian ad litem for LANDY O. FOWLER, a minor
over the age of sixteen years, and also to represent and
act as guardian ad litem for any and all other minors, and
all persons in the armed services of the United States of
America, and all persons under any legal disability, and
all unknown persons or parties who may claim or have any
interest in the subject matter of this suit, and for answer
to the bill of complaint filed in this cause says as follows,
to-wit:

The guardian ad litem denies each and every
allegation of the aforesaid bill of complaint, separately
and severally and demands strict proof of the same.

Telfair J. Mashburn, Jr.
Guardian ad litem.

EQUITY NO. 7

1785

IN THE CIRCUIT COURT OF **RECORDED**

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

RUBY LEE FOWLER, AS GUARDIAN
OF THE PERSONS AND ESTATES
OF LANDY O. FOWLER, MIRRIAM
JULIA FOWLER AND MUREL RUTH
FOWLER,

Complainant,

VS.

LANDY O. FOWLER, MIRRIAM JULIA
FOWLER AND MUREL RUTH FOWLER,

Defendants.

ANSWER OF GUARDIAN AD LITEM.

Filed

2-8-47

Alice J. Leuch

RUBY LEE FOWLER, AS
GUARDIAN OF THE PERSONS
AND ESTATES OF LANDY O.
FOWLER, MARRIAM JULIA
FOWLER AND MUREL RUTH
FOWLER,
COMPLAINANT,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY:

VS.

LANDY O. FOWLER, MARRIAM
JULIA FOWLER AND MUREL
RUTH FOWLER,
DEFENDANTS.

This cause coming on to be heard is submitted upon the verified petition of Ruby Lee Fowler, as guardian for Landy O. Fowler, Marriam Julia Fowler and Murel Ruth Fowler, minors, for confirmation of her acts in selling and conveying to Rufus Mann her interest and the interest of the said minors in and to the North half of the Northwest quarter of the Northwest quarter (N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$) in Section two(2), Township three (3) South, Range three (3) East, Baldwin County, Alabama, under a decree of this court heretofore rendered February 17, 1947;

And for ascertainment of her cash dower in the proceeds of the sale of the said land and for the approval and ratification of her incurring and paying an attorney's fee to W. C. Beebe, her solicitor in this cause, in the sum of two hundred dollars (\$200.00) and of her expenditure of two dollars and ten cents (\$2.10) for revenue stamps and of her paying ten dollars (\$10.00) premium on guardian's bond and of her payment of forty nine dollars and twenty cents (\$49.20) court cost and for the direction and disposition of the remainder of the said monies the property of the said minors.

NOW THEREFORE it is ordered, adjudged and decreed that the acts of the said Ruby Lee Fowler, as guardian, in conformity with the decree of this court February 17, 1947, in conveying the North half of the Northwest quarter of the Northwest quarter

(N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$) in Section two (2), Township three (3) South, Range three (3) East, in Baldwin County, Alabama, to Rufus Mann for sixteen hundred dollars (\$1600.00) be and the same is hereby ratified and confirmed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the cash dower of the said Ruby Lee Fowler in the proceeds of the sale of the said land by and the same is hereby fixed at three hundred thirty eight dollars and seventy cents (\$338.70) and she is hereby authorized and directed to retain the same out of the proceeds of the sale.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that her incurring legal expenses in the sum of two hundred dollars (\$200.00) to her solicitor of record, W. C. Beebe, and of her purchase of revenue stamps of two dollars and ten cents (\$2.10) and of her payment of premium of guardian's bond to J. A. Ertzinger & Son in the sum of ten dollars (\$10.00) and the payment of court cost in this cause in the sum of forty nine dollars and twenty cents (\$49.20) to the register of this court be and the same is hereby ratified and confirmed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Ruby Lee Fowler hold the remainder of the proceeds of the said sale, namely (\$1000.00) one thousand dollars, as the property of the said minors, Landy O. Fowler, Marriam Julia Fowler and Murel Ruth Fowler, share and share alike, and report the same to the Probate Court of Baldwin County, Alabama, as the property of the said minors, held by her subject to proper orders of that court relating to the same.

The object of this proceeding having been fully accomplished, this proceeding is hereby dismissed.

This February 24, 1947.

F. D. Hare
Judge.

RUBY LEE FOWLER, AS
GUARDIAN OF THE PERSONS
AND ESTATES OF LANDY O.
FOWLER, MIRRIAM JULIE
FOWLER AND MUREL RUTH
FOWLER,

COMPLAINANT.

VS.

LANDY O. FOWLER, MIRRIAM
JULIA FOWLER AND MUREL
RUTH FOWLER,

DEFENDANTS.

IN THE CIRCUIT COURT OF

BAIDWIN COUNTY, ALABAMA

IN EQUITY

NO. 1785

This cause coming on to be heard is submitted for decree upon the original bill of complaint, the appointment of guardian ad litem for the defendants, minors, his acceptance and answer and upon the further pleading and proof as noted by the register and the same being considered by the court it appears that; the Complainant is the mother of the Defendants, Landy O. Fowler, Mirriam Julia Fowler and Murel Ruth Fowler, and they are in her custody and control and she is duly constituted, appointed and qualified as guardian of their person and estate; that subject to a dower interest of the Petitioner, Defendants are the owners of the North half of the Northwest quarter of the Northwest quarter ($N\frac{1}{2}$ of $NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section two (2), Township three (3) South, Range three (3) East; that the improvements on the same are in a bad state of repair; that the Petitioner and the said Defendants are without funds for the proper maintenance, support and education for the said minors; that Rufus Mann has offered for the said property \$1600.00, which from the testimony in the said cause is a reasonable and fair market value of the same; that she has entered into a contract with the said Rufus Mann to sell the said lands to him at the said price subject to this court's approval of the same and she prays that this court ratify and confirm the sale of the property to the said Rufus Mann for and at the sum of \$1600.00 to

be paid for in cash and that she be authorized and directed to execute a conveyance to him conveying the said lands for the said sum; and it appears that it is of the best interest of the said minors and of their estate that the said property be sold to the said Rufus Mann for and at the said price, namely \$1600.00;

NOW THEREFORE IT IS ORDERED ADJUDGED AND DECREED that the sale by Ruby Lee Fowler, as guardian of the estate of Landy O. Fowler, Mirriam Julia Fowler and Murel Ruth Fowler, of the North half of the Northwest quarter of the Northwest quarter ($N\frac{1}{2}$ of $NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section two (2), Township three (3) South, Range three (3) East, to Rufus Mann for sixteen hundred dollars (\$1600.00), payable cash, be and the same is hereby ratified and confirmed and the said Ruby Lee Fowler, as guardian of the said minors be and she is hereby authorized and directed to execute a proper conveyance to the said Rufus Mann, conveying to him her dower and the interest of the said children, Landy O. Fowler, Mirriam Julia Fowler and Murel Ruth Fowler, minors, in and to the following described lands situated in Baldwin County, Alabama, to-wit: The North half of the Northwest quarter of the Northwest quarter ($N\frac{1}{2}$ of $NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section two (2), Township three (3) South, Range three (3) East. and that she deliver said deed to the said Rufus Mann upon his paying the said purchase price.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED, that the said Ruby Lee Fowler shall report to this court her action under this decree for such further orders and decrees as shall be necessary and proper.

Done this the th17 day of February, 1947.

F. M. Hare
Judge.

RUBY LEE FOWLER, AS
GUARDIAN OF THE PERSONS
AND ESTATES OF LANDY O.
FOWLER, MIRRIAM JULIA
FOWLER AND MUREL RUTH
FOWLER,

COMPLAINANT,

VS.

LANDY O. FOWLER, MIRRIAM
JULIA FOWLER AND MUREL
RUTH FOWLER,
DEFENDANTS.

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

It appearing in the above styled cause that more than thirty days have elapsed since the service of summons and bill of complaint in the above styled cause on LANDY O. FOWLER, a minor over the age of sixteen years, and he has not nominated a guardian ad litem to represent him, and service having been had on Eugene Fowler, who is over the age of twenty-one years, and as next of kin of the said MIRRIAM JULIA FOWLER AND MUREL RUTH FOWLER, minors under the age of fourteen years, for and on their behalf;

And the said EUGENE FOWLER not appearing for the said minors and not nominating a guardian ad litem for them.

NOW THEREFORE J. J. Mashburn, be and he is hereby appointed as guardian ad litem for LANDY O. FOWLER, MIRRIAM JULIA FOWLER AND MUREL FOWLER without further service on them, it appearing that he is a competent and suitable person to act as such for said minors, and he is authorized and directed to do and perform whatsoever shall be necessary and proper in the premises.

WITNESS MY hand and seal of office this 3rd day of February, 1947.

Alice J. Smith
Clerk of the Circuit Court of
Baldwin County, Alabama

CIRCUIT COURT. (Equity)

Term, 194

Ruby Lee Fowler
 No. 178B- vs.
 Randy D Fowler et al

DATE	DESCRIPTION	AMOUNT
1968-01-01	Balance	100.00
1968-01-15	Payment	25.00
1968-02-01	Interest	5.00
1968-02-15	Payment	15.00
1968-03-01	Interest	5.00
1968-03-15	Payment	15.00
1968-04-01	Interest	5.00
1968-04-15	Payment	15.00
1968-05-01	Interest	5.00
1968-05-15	Payment	15.00
1968-06-01	Interest	5.00
1968-06-15	Payment	15.00
1968-07-01	Interest	5.00
1968-07-15	Payment	15.00
1968-08-01	Interest	5.00
1968-08-15	Payment	15.00
1968-09-01	Interest	5.00
1968-09-15	Payment	15.00
1968-10-01	Interest	5.00
1968-10-15	Payment	15.00
1968-11-01	Interest	5.00
1968-11-15	Payment	15.00
1968-12-01	Interest	5.00
1968-12-15	Payment	15.00
1968-12-31	Balance	100.00

REGISTER'S FEES	AMOUNT	SHERIFF'S FEES:	AMOUNT
Fees in Circuit Court—	1 00	Summoning on Bill, Each Defendant.....4.....1.50	6 00
Docketing Cause, One fee only of.....1.00	50	Executing Writ of Injunction, or Ne Exeat, each..1.50	
Issuing Summons on Bill, each......50*	25	Executing Subpoenas for Witnesses, each......65	
Issuing Copies Thereof, each.....4......40	75	Executing Writs of Possession, each......5.00	
Entering Return of Same, each......15		Executing Scire Facias or Notice, each......1.50	
Orders of Publication to Non-Residents, each....1.00*	12 30	Taking and Approving Bonds, each......1.00	
Filing Bill or Other Paper, each.....13......10	25	Impanelling Jury......75	
Copies of Same, Per 100 Words......15		Collecting Execution for Costs Only, each.....1.50	
Entering Appearances, each......25*		Sheriff's Commissions.....	
Issuing Writs of Injunction, Ne Exeat, each....1.50	1 00		
Issuing Copies Thereof, each......50	50		
Entering Return of Same, each......15		Total Sheriff's Fees.....	6 00
Decrees Pro Confesso, each......1.00*			
Order Appointing Guardian Ad Litem, each....1.00*		SUMMARY OF FEES, COSTS, AND JUDGMENT	
Issuing Commissions to Take Testimony, each....50		Fees in Circuit Court—	
Taking Testimony, Per Day......1.50	10	Register's Fees.....	17 75
Taking Testimony, Per 100 words......20		Ex-Register's Fees.....	
Receiving and Filing Depositions, each pkg.,.....10	50	Sheriff's Fees.....	6 00
Indorsing Depositions Published, each pkg.....10		Ex-Sheriff's Fees.....	
All Entries on Commission Docket, Each Cause....50	50	Witness Fees.....	10 00
Entering Order Submitting Cases for Decree, each..50	75	Commissioner's Fees.....	
Other Orders of Court, each......25	25	Guardian Ad Litem.....	
Noting Testimony on Hearing of Cause, each.....50		Publisher's Fees.....	
Entering Decrees, of 500 Words or Less, each.....75		Solicitor's Fees.....	
Per 100 words over 500......15	6 75	Court Reporter's Fees, Per Day or fraction thereof .50	
Taking Accounts, etc., on Ref., per Day.....3.00*		Trial Tax......3.00	3 00
Taking Testimony on Reference Relating to Trustee, etc., per 100 words......15			
Reference and Reports, each......2.00*		Fees and Costs in Inferior Court:	
Reports of 500 Words or Less......2.50		Clerk of Inferior Court Fees.....	
Per 100 Words over 500......15		Sheriff's Fees.....	
Issuing Subpoenas for Witnesses, each......25		Witness Fees.....	
Issuing Witness Certificates, each......25			
All Entries on Subpoena Docket, each Cause.....50		Total Fees and Costs in Inferior Court.....	36 75
Taking and Approving Bonds, each......1.00		Guardian ad L	10 00
Making Complete Record, per 100 Words......15			
Hearing, etc., Regarding Appointment of Re- ceiver or Trustee......3.00		Total Fees and Costs.....	46 75
Settlements with Receiver or Trustee, each.....3.00		Judgment.....	
Examining Vouchers in Settlements, each......10			
Examining Answers on Exceptions, each Answer .3.00		Total Fees, Costs, and Judgment.....	
Removal Disabilities on Non-Age.....			
Commissions on Sales.....			
Making Deeds to Property Sold, each......2.00			
Receiving and Paying Out Money Other Than That Arising from Sales.....			
Certificates or Affidavits, with Seal, each......50			
Certificates or Affidavits without Seal, each......25			
Issuing Scire Facias or other Notice, each......50			
Other Orders of Register, except Cont., each......50			
Entering Certificates of Supreme Court, each......50			
Transcript for Supreme Court, per 100 words, each..15			
Additional Copies, per 100 words......05			
Appeal Bond, each......1.00			
ertificate of Appeal, each......50			
Notice of Appeal, each......50			
Report to State Board of Health, each case......50			
Certificate of Judgment, each......25			
Issuing Executions, each......75			
Entering Returns Thereof, each......15			
cert copy desired	1 00		
Total Register's Fees.....	17 25		

I certify that the within is a true and correct Bill of Costs in the within styled cause.

ATTEST: _____
Register Circuit Court, Baldwin County, Ala.

Received payment this _____ day of _____ 194 _____

ATTEST: _____
Register Circuit Court, Baldwin County, Ala.

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

vs. Plaintiff _____

Defendant _____

EQUITY COST BILL

Term, 19 _____

Fee Book _____, Page _____

Plaintiff's Attorney.

Defendant's Attorney.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court

To Hazel Hall

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

as witnesses in behalf of Ruby Lee Fowler in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Ruby Lee Fowler is

Complainant—
and Landy O. Fowler, Mirriam Julia Fowler and Murel Ruth Fowler are

Respondent

on oath, to be by you administered, upon Oral Examination
to take and certify the depositions of the witness SS and return the same to our Court, with all convenient speed, under your hand.

Witness 13 day of Feb, 1947Alvin J. Smith
Register

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

1785

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Ruby Lee Fowler, as Guardian.

Complainant

VS.

Landy O. Fowler, Mirriam Julia
Fowler and Murel Ruth Fowler

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Hazel Nall

WITNESSES:

Ruby Lee Fowler and

W. D. Stapleton

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU that you summon LANDY O. FOWLER, a minor over the age of fourteen years, to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction, within thirty days after the service of the summons, and there to plead, answer or demur, without oath, to a bill of complaint lately exhibited by RUBY LEE FOWLER, against the said LANDY O. FOWLER, and against MARRIAM JULIA FOWLER and MUREL RUTH FOWLER, minors, under the age of fourteen years, and to serve a copy of the within complaint on EUGENE FOWLER, as the next of kin of said minors, who is not interested in said proceedings, and further to do and perform what the said Judge shall order and direct in that behalf, and this you shall in no wise omit under penalty of the law. And we further command that you return this writ with your execution thereon to our said Court immediately upon execution thereof.

WITNESS, my hand as, Register of said Court,
this 3 day of Dec, 1946

Alice J. Duck
Register.

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

Comes your Petitioner, Ruby Lee Fowler, as Guardian of the
persons and estates of Landy O. Fowler, Marriam Julia Fowler
and Murel Ruth Fowler, minors, and respectfully shows unto
your Honor, as follows:

FIRST

That your Petitioner is over the age of twenty-one years
and is a resident of Baldwin County, Alabama; that Landy O.
Fowler is a minor, sixteen years of age, that Marriam Julia
Fowler is a minor, twelve years of age, that Murel Ruth Fowler
is a minor, eleven years of age; that said minors are the
children of your Petitioner; that on the third day of December,
1946, the Probate Court of Baldwin County, Alabama, appointed
and qualified your Petitioner as guardian of the person and
estate of said minors; that the said minors reside with your
Petitioner, at Stapleton, Baldwin County, Alabama; that Eugene
Fowler, who is over the age of twenty-one years and resides at
Stapleton, Alabama, is an Uncle of said minors and next of kin
to them and is not interested in this proceedings.

SECOND

That the said minors own by inheritance from their father,
O. L. Fowler, deceased, subject to Petitioner's dower right
as the widow of said O. L. Fowler, the following described lands
situated in Baldwin County, Alabama, to-wit:

The North half of the Northwest quarter of the
Northwest quarter of Section two, Township
three South, Range three East;

That the said lands are in part cleared and have thereon a
small house; that the fencing on the said lands and the house
thereon are falling into decay and the said property is decreas-
ing in value and will more rapidly decrease hereafter unless

substantial repairs are made thereon: that the said property is all of the property owned by the said minors; except their home; that your petitioner owns no property and has no income except her interest in the aforesaid property, and she and the said minors are without the means to maintain said property; that the said minors are in school and they and your Petitioner are without funds to properly maintain, support and educate the said minors and it is to the best interest of the said minors and their estate, that the said property be sold for the support, maintenance and education of the said minors.

THIRD

That one Rufus Mann has offered to purchase the aforesaid property for and at the sum of SIXTEEN HUNDRED DOLLARS (\$1600.00), which is the fair and reasonable value thereof; the purchase price to be paid in cash upon an order of this Court authorizing the sale to him of the said property and the delivery of proper deed therefore; and this Petitioner has interred into a contract with the said Rufus Mann to sell the said property to him at the said price subject to the approval of this court; that it is to the best interest of the said minors and of their estate that the said property be sold to the said Rufus Mann at the said price.

WHEREFORE Petitioner prays that the said Iardv O. Fowler, Marriam Julia Fowler and Murel Ruth Fowler, minors be made parties defendant to this petition, that due and proper notice issue and be served upon them to appear, plead, answer or demur to this petition within the time and under the pains and penalties prescribed by law and practice of this Honorable Court; Petitioner further prays that upon the final hearing of the cause made by this petition, this Honorable Court will make and enter an order and decree confirming the sale of said property

by this Petitioner, as guardian of the said minors, to the said Rufus Mann for the sum of SIXTEEN HUNDRED DOLLARS (\$1600.00), payable cash; and that this Petitioner be authorized and directed to execute and deliver a proper conveyance to the said Rufus Mann, conveying to him the right, title and interest of the said Landy O. Fowler, Marriam Julia Fowler, and Murel Ruth Fowler, minors, in and to the said lands, namely the North half of Northwest quarter of the Northwest quarter of Section two, Township three South, Range Three East, upon his paying to this Petitioner, as guardian of aforesaid, the said purchase price named herein; and this Petitioner prays for all such other, further or different relief, orders, decrees and writs as shall be necessary and proper in the premises; and she offers to do and perform whatsoever this Honorable Court shall require of her.

X Ruby Lee Fowler
Petitioner

W. C. Burke
Solicitor for the Petitioner.

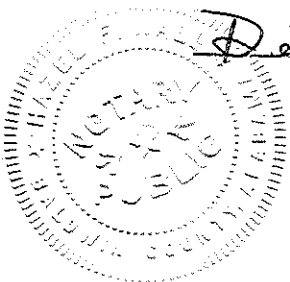
STATE OF ALABAMA
BALDWIN COUNTY

Before me the undersigned Notary Public in and for said State and County this day personally appeared Ruby Lee Fowler, who is known to me and who being by me first duly sworn doth depose and say that she has read the foregoing petition and that the matters therein alleged are true.

X Ruby Lee Fowler

Sworn to and subscribed before me on this the 14 day of December, 1946.

Hayl F. Hall
Notary Public, Baldwin County, Ala.



RUBY LEE FOWLER, AS
GUARDIAN OF THE PERSONS
AND ESTATES OF LANDY O.
FOWLER, MARRIAM JULIA
FOWLER AND MUREL RUTH
FOWLER,
COMPLAINANT,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

VS.

LANDY O. FOWLER, MARRIAM
JULIA FOWLER AND MUREL
RUTH FOWLER,
DEFENDANTS.

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

Comes Ruby Lee Fowler as guardian of the persons and estates
of Landy O. Fowler, Marriam Julia Fowler and Murel Ruth Fowler,
minors, and respectfully shows unto your Honor that under and
by virtue of the authority and direction of the Honorable Court
in its decree made and entered February 17, 1947, in the above
styled cause, she did execute and deliver to Rufus Mann a deed
~~of conveyance conveying to him all of her right, title and interest~~
and all of the right, title and interest of the said minors in
and to the North half of the Northwest quarter of the Northwest
quarter (N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section two (2), Township three (3)
South, Range three (3) East, in Baldwin County, Alabama, and did
collect and receive from the said Rufus Mann the sum of sixteen
hundred dollars (\$1600.00) in payment therefor;

Your Petitioner is 36 years of age and is in good
health.

That in and about the sale of the aforesaid properties and
the execution of the contract for the same, her qualification as
guardian for the said minors, the institution and prosecution of
this suit for confirmation of the said sale, the execution and
delivery of the said deed and the preparation of the abstract, the
Petitioner has incurred legal expenses to W. C. Beebe, her solicitor
of record, in the sum of two hundred dollars (\$200.00) and has
paid the same and has advanced for revenue stamps on said deed the
sum of two dollars and ten cents (\$2.10), that she has incurred

expenses for premium on surety bond as guardian for the said
and Son
minors to J. A. Ertzinger/in the sum of ten dollars (\$10.00)
and paid the same out of the proceeds of this sale.

WHEREFORE Petitioner prays this Honorable Court will ratify
and confirm her acts of aforesaid including incurring the said
legal expenses and the payment of the same and the cost of the
said revenue stamps and the cost of the said bond and the cost
of this Court amounting to the sum of \$ 4920, and that
her dower interest be ascertained and that she be authorized to
retain the same and that the remainder of the said monies she
be authorized and directed to report to the Probate Court of
Baldwin County, Alabama, as the property of the said minors, share
and share alike, and that she hold the same subject to proper orders
and decrees as the Probate Court of Baldwin County, Alabama shall
from time to time make and that this cause be dismissed.

Ruby Lee Fowler
Guardian

Sworn to and subscribed to before me this the 21 day of
February, 1947.

W C Bebe
Notary Public, Baldwin County,
Alabama.

RUBY LEE FOWLER, AS GUARDIAN
OF THE PERSONS AND ESTATES OF
LANDY O. FOWLER, MIRRIAM JULIA
FOWLER AND MUREL RUTH FOWLER,

Complainant,

VS.

LANDY O. FOWLER, MIRRIAM JULIA
FOWLER AND MUREL RUTH FOWLER,

Defendants.

EQUITY NO. _____

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

ACCEPTANCE OF APPOINTMENT AS GUARDIAN

AD LITEM.

I, Telfair J. Mashburn, Jr., heretofore appointed guardian ad litem to represent to represent LANDY O. FOWLER, a minor over the age of sixteen, as well as others, in the above styled cause, do hereby acknowledge receipt of a copy of the notice of the pendency of the bill of complaint in this cause and waive any other service of the same.

And, I also acknowledge receipt of notice of my appointment as such attorney and guardian ad litem, issued to me by the Register of this Honorable Court, and I agree to act as such attorney and guardian ad litem in this cause.

This the 8th day of February, 1947.

Telfair J. Mashburn, Jr.
Guardian ad Litem.

EQUITY NO. _____

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

RUBY LEE FOWLER, AS GUARDIAN
OF THE PERSONS AND ESTATES OF
LANDY O. FOWLER, MIRRIAM JULIA
FOWLER AND MUREL RUTH FOWLER,

Complainant,

VS.

LANDY O. FOWLER, MIRRIAM JULIA
FOWLER AND MUREL RUTH FOWLER,

Defendants.

ACCEPTANCE OF APPOINTMENT AS
GUARDIAN AD LITEM.

Filed

2-8-47

*Alice J. Duck
Register*

RUBY LEE FOWLER, AS
GUARDIAN OF THE PERSONS
AND ESTATES OF LANDY C.
FOWLER, MIRRIAM JULIA
FOWLER AND MUREL RUTH
FOWLER,

COMPLAINANT,

VS.

LANDY C. FOWLER, MIRRIAM
JULIA FOWLER AND MUREL
RUTH FOWLER,

DEFENDANTS.

IN THE CIRCUIT COURT OF

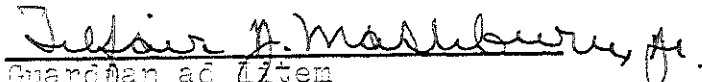
BALDWIN COUNTY, ALABAMA

IN EQUITY:

Comes the Petitioner in the above styled cause and shows that service having been had on Defendants, guardian ad litem having been appointed, accepted and answered and the testimony having been taken in said cause; the said cause is ready for submission and the Petitioner moves that the said cause be set down for final decree.

Witness my hand this the 15th day of February, 1947.


Solicitor for Complainant


Guardian ad litem

[5] 1
Rudy A Fowler
Gardens

vs

Rudy A Fowler
it all

Melton, J. S. Sub
Mission

1985

Field

2-15-47