

In the Matter of the )  
MONTROSE ACADEMY. )

IN THE  
CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

TO THOMAS W. RICHEY, ESQUIRE,  
REGISTER IN CHANCERY AT BAY MINETTE, ALA:

Your Petitioners, HARRY PILLANS and ELLIOTT G. RICK-  
ARBY, as trustees for the Montrose Academy located at Montrose  
in Baldwin County, Alabama, respectfully show:

FIRST: That on January 25th, 1859, Cyrus Sibley  
and Eliza A. Sibley, his wife, both now deceased, by a deed  
recorded in Book *G* page 502-3 of the Baldwin County Records,  
and a copy of which is hereby attached, conveyed to Austin E.  
Ledyard, Thomas P. Miller and Armstead M. Elgin, as trustees,  
Square Twelve of the Village of Montrose to be held by them  
for school purposes under conditions set forth in said deed.

SECOND: That on June 21st, 1911, the original trustee  
above named having died, a petition was filed in the  
Chancery Court at Mobile, then having jurisdiction of the ter-  
ritory where said school is located, requesting the appointment  
of three trustees in lieu of those originally named and in ac-  
cordance with said petition, and, after due notice, an order  
was made by the Register in Chancery naming as such trustees to  
act without bond Harry Pillans, William D. Randall and Elliott  
G. Rickarby, which order was entered in Order Book No. 5, page  
305 of the Chancery Records at Mobile, and a copy of which is  
also attached hereto.

THIRD: That William D. Randall, one of the trustees  
last named, departed this life in the latter part of the year  
1918, leaving a vacancy in the Board of Trustees of said Mont-  
rose Academy.

WHEREFORE, the premises considered, Petitioners pray  
that, after due notice as required by law, an order be made ap-  
pointing a third trustee to take the place of the late William  
D. Randall under the provisions of the deed of Sibley as afore-



said, and that such other orders may be made as shall seem proper in the premises.

H. Pillans

Elliott G. Rickarby

Before me, the undersigned Notary Public, this the sixth day of February, 1919, appeared Elliott G. Rickarby, who, being sworn, says that the allegations of the foregoing petition are true.

*Frances C. Collins.*

Notary Public, Mobile County, Ala.



## STATE OF ALABAMA

## BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS, That I, Cyrus Sibley of the State and County aforesaid, for the purpose hereinafter mentioned, and in consideration of the sum of ONE DOLLAR to me in hand paid by Austin E. Ledyard, Thomas P. Miller and Armstead M. Elgin, the receipt of which I do hereby acknowledge, have given, granted and conveyed, and by These Presents, do give, grant and convey unto them, the said Ledyard, Miller and Elgin, all and singular the following described lot of land, to-wit, lying and being in the village of Montrose, and in Baldwin County, Alabama, known and described as Square number twelve (12) according to a map or plan of said village surveyed and executed by Gavin B. Yuille now on record in Book E, page 388 in the Probate Court of Baldwin County; said square containing nine acres, more or less, and being bounded North by Lee Street, East by Third Street, South by Graham Street and West by Second Street. To Have and To Hold the said lot of ground unto them, the said Austin E. Ledyard, Thomas P. Miller and Armstead M. Elgin, and their successors forever. In trust, however, that the said ground is to be held by the said Ledyard, Miller and Elgin as trustees and for the sole purpose of building and erecting thereon buildings and improvements necessary and proper for a male and female Academy or institution of learning and for no other purpose whatsoever, and from and after building and erecting all said houses and other improvements on said square, then to hold the same together with all improvements and appurtenances thereunto belonging for the sole use and benefit of the said institution by whatever name the same may hereafter be known or incorporated, and is fully understood that the said institution when established shall ever be open to the admission of scholars or students without reference to or creed and further that if the said buildings shall not have been erected and a school commenced on the square of ground within ten years from this date, or if after having been established the school



or institute shall for any cause be discontinued for ten consecutive years, then in every case this deed shall be null and void and of no effect and the title to the said square of land, to-wit, Square number twelve (12), shall revert to me or my heirs, and I, Eliza A. Sibley, wife of the said Cyrus Sibley, in consideration of the sum of \$1.00 to me in hand paid, the receipt of which I do hereby acknowledge have and do hereby release and forever relinquish unto them, the said Austin E. Ledyard, Thomas P. Miller and Armstead M. Elgin, trustees as aforesaid, and for the same purposes as aforesaid all my right of dower in and to the said lands and every part thereof.

IN WITNESS WHEREOF we have hereunto set our hands and seals this 25th day of January in the year of our Lord 1859.

Signed, sealed and delivered in the presence of:

Caroline Baldwin,  
Walter B. Sibley.

Cyrus Sibley, (Seal)

Eliza A. Sibley (Seal)

Filed March 12, 1859

Recorded March 15, 1859.

C. W. Wilkins, Judge.

# 152 1st

In the matter of  
Montrose Academy,  
Petition for Appointment  
of Trustees.

Filed 7/12/1919,  
J. W. McInnis  
Register

*[Faint, illegible text, likely bleed-through from the reverse side of the page]*



(Copy)

In the Matter of the Petition  
of  
William D. Randall, et al.  
For Appointment of Trustees  
to Succeed  
Austin S. Ledyard, et al, deceased.)

NO. 9738  
In Chancery at  
Mobile, Alabama.

This proceeding comes on this day to be heard, having been postponed from Saturday, July 15th, last, and upon consideration of the proof presented - the sworn petition, the Register orders that same be granted, and that William D. Randall, Harry Pillans, and Elliott G. Rickarby be, and hereby are, appointed trustees of a trust created by Cyrus Sibley and Eliza Sibley, his wife, by a deed dated January 25th, 1859, the trustees now appointed to succeed Austin S. Ledyard, Thomas P. Miller and Armistead M. Elgin, the original trustees named in said deed, who have since died.

It is further ordered that William D. Randall, Harry Pillans and Elliott G. Rickarby take and hold the lot described in said trust deed, subject to the terms thereof, and that they act without bond.

July 17th, 1911.

Carl Holzborn,  
Register.



# THE BALDWIN TIMES

ABNER J. SMITH, PROPRIETOR

DEVOTED TO THE INTEREST OF BALDWIN COUNTY AND HER PEOPLE

PUBLISHED EVERY THURSDAY

SUBSCRIPTION: \$1.00 PER YEAR IN ADVANCE

ADVERTISING RATES ON APPLICATION

TELEPHONE No. 7, LOCAL AND LONG DISTANCE

BAY MINETTE, ALA.,

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

ABNER J. SMITH, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Notice of Petition for Appointment of Trustee

In the Matter of Montrose Academy. In Equity

Circuit Court of Baldwin County, No. 152

Was published in said Newspaper for 4 consecutive weeks in the following issues:

Date of first publication	February 13th, 1919	Vol.	29	No.	52
“ “ second “	February 20th, 1919	Vol.	30	No.	1
“ “ third “	February 27th, 1919	Vol.	30	No.	2
“ “ fourth “	March 6th, 1919	Vol.	30	No.	3

Subscribed and sworn to before the undersigned

this 11<sup>th</sup> day of March 1919.

Thos. W. Richerson  
Clerk Circuit Court.

Abner J. Smith  
Publisher.

**Notice of Petition for Appointment of Trustee.**

In the Matter of Montrose Academy. In Equity. In the Circuit Court of Baldwin County, Alabama. No. 152.

Notice is hereby given that Harry Pillans and Elliott G. Rickarby, as surviving trustees of Montrose Academy, having this day filed in the Equity side of the Circuit Court of Baldwin county a petition for the appointment of a third trustee of said Academy to take the place of William D. Randall, deceased, as trustee under that deed of trust executed by Cyrus Sibley and wife on January 25th, 1859, and recorded in Book G., page 5023 of the Baldwin County Records, said petition will be heard by the undersigned at his office in the Court House of Baldwin County at Bay Minette, Alabama, on March 10th, 1919, at 2 p. m.

Thos. W. Richerson,  
Register.

Rickarby, Austill and Beebe,  
Attys for Complainant.  
52-2t



Filed 3/11/99.  
J. M. Morrison  
Register



RICKARBY & AUSTILL  
LAWYERS  
909-10-11 VAN ANTWERP B'LDG.  
MOBILE, ALA.



Mr. T. W. Richerson,

Bay Minette,

Alabama.



RICKARBY & AUSTILL  
LAWYERS  
909-10-11 VAN ANTWERP BLDG.  
MOBILE, ALA.

ELLIOTT G. RICKARBY.  
JERE AUSTILL.

March 7, 1919.

Mr. T. W. Richerson,  
Bay Minette, Alabama.

Dear Tom:

When the matter of the petition for ap-  
pointment of an additional trustee to the Montrose  
School comes up on the 8th, if I am not there I will  
ask you to appoint Thomas O. Loft~~ed~~, of Montrose, to  
the place. Mr. Pillans and I feel that he is just the  
man to look after the school's interest, and someone  
residing on the grounds with courage and aggressive-  
ness is needed. We have spoken to him about it, and  
he is willing to serve.

With thanks for this as well as for past  
favours, I am

Sincerely yours,

R-H

*Elliott G. Rickarby*