

332

The State of Alabama, BALDWIN County.

CIRCUIT COURT, IN EQUITY.

EX PARTE

H. G ANDERSON AS GUARDIAN OF MARY CHRISTIAN ANDERSON. A MINOR Complainant

vs.

Defendant

Deposition of

By virtue of the appointment to take the Deposition, indorsed in writing, on the Interrogatories by the Solicitor filing the same, in the above stated cause pending in said Court of said County, I,

P. J. Cooney, Commissioner appointed by Register of said Court of said County, have called and

caused to come before me

the witness named in the Interrogatories, and having first sworn the said witness to speak the truth, the whole truth and nothing but the truth, the said witness deposes and says as follows:

[Large area of horizontal dotted lines for deposition text]

I, P. J. Cooney, Commissioner Appointed ~~the said~~ Register, hereby certify that the foregoing testimony was taken down in writing by me in the words of the witness, and were read over to him, that th he assented, swore to and subscribed the same in my presence, the 18th day of May 1922 -----, 1912, at Foley Baldwin Co, Alabama; that I have personal knowledge of, or had proof made before me of the identity of the witness, and that I am not of counsel or of kin to any of the parties to said cause, or in any manner interested in the result thereof.

And I enclose the deposition, together with the Interrogatories, Direct and Cross, and the documents which were deposed to, in an envelope properly endorsed and sealed and placed the same on file in my office.

Given under my hand and seal this the 1st day of February, 1912.

P. J. Cooney, Commissioner
 _____, Register.
 WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

<u>J. Gib Shelby</u>	<u>1</u> days' attendance at \$1.50 per day	<u>\$ 1.50</u>
_____	_____ days' attendance at \$1.50 per day	<u>\$</u>
_____	_____ days' attendance at \$1.50 per day	<u>\$</u>
_____	_____ days' attendance at \$1.50 per day	<u>\$</u>
_____	_____ days' attendance at \$1.50 per day	<u>\$</u>
_____	_____ days' attendance at \$1.50 per day	<u>\$</u>
_____	_____ days' attendance at \$1.50 per day	<u>\$</u>
_____	_____ days' attendance at \$1.50 per day	<u>\$</u>
_____	_____ days' attendance at \$1.50 per day	<u>\$</u>
_____	_____ days' attendance at \$1.50 per day	<u>\$</u>
_____	_____ days' attendance at \$1.50 per day	<u>\$</u>

REGISTER'S FEES.

<u>1</u> days at \$1.50 per day	<u>\$ 1.50</u>
<u>700</u> words at 20 cents per hundred	<u>\$ 1.40</u>

332

No. _____ Page _____

The State of Alabama,

_____ COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Ex parte
H G Anderson
vs. Complainant,

Defendant.

Deposition Taken Before Register on Interrogatories.

Deposition of *J. Rob Shelby*

for _____

Filed *30* day of *April*, 19*23*

Published by order of the Court *Acad*

Apr 30th, 19*23*

D W Anderson
Register.

AFTER FIVE DAYS RETURN TO
T. W. RICHERSON
REGISTER AND CLERK OF THE CIRCUIT COURT
BALDWIN COUNTY
BAY MINETTE, ALA.

Five Papers
Recd B. F. Turner
Dec 12/926

EX PARTE

H. G. ANDERSON AS GUARDIAN) (IN THE CIRCUIT COURT OF
OF MARY CHRISTIAN ANDERSON (BALDWIN COUNTY IN EQUITY.
A MINOR) COMPLAINANT) ()

Under and by virtue of a commission issued to me out of the Circuit Court of Baldwin County Alabama, which is hereto attached in a certain cause in said Court therein pending wherein H. G. * Anderson as Guardian of Mary Christian Anderson a Minor is complainant

I, ~~W. S. Cooney~~ Commissioner appointed by said Court of said County has caused to come before me at my office in Foley Baldwin County Alabama, on the 18th day of May 1922.

J. Gib. Shelby, ~~George O. Randolph,~~

The witnesses named in the Interrogatories, and having first sworn the said witnesses to speak the truth, the whole truth and nothing but the truth, the said witnesses deposes as follows,

DEPOSITION OF J. Gib Shelby

IN ANSWER TO THE FIRST INTERROGATORY HE SAITH

My name is J, Gib Shelby, I reside in Baldwin County Ala, My post office address is Foley Alabama, my age is 57 years I have been living on Section 17 Township Nine S. R. 4 East in Baldwin County for the past 25 years,

IN ANSWER TO SECOND INTERROGATORY. HE SAYETH

I knew Margaret Cook Anderson, formerly Margaret Cook, She left Baldwin County, and went to Wilcox County Ala, she died after she left Baldwin County, I do not know if she had any children,

IN ANSWER TO THE THIRD INTERROGATORY HE SAYETH

I have been on the land described in Section 17 T, 9. S. R 4 East I first went over that land 35 years ago, I was on the land to-day I live about seventy five yards distant from the lands There is about onethird of the land low and swampy, the other two third, is level sandy land, and dry,

IN ANSWER TO THE FOURTH INTERROGATORY HE SAYETH

The neares Railroad is ten miles distand from the land
The Louisville and Nashville Railroad at Foley Alabama

IN ANSWER TO THE FIFTH INTERROGATORY HE SAITH

THERE IS A PUBLIC HIGHWAY leading to and from the land, and it is worked and kept up by the County of Baldwin as a Public Highway and traversed by wagons and motor vehicles trucks etc, that carry agricultural and other products to the Railroad station and from there,

IN ANSWER TO INTERROGATORY SIX HE SAYETH

There is no regular water transportation to and from the land in question, A part of the land is on the water, known as the little lagoon, but no transportation out of the Lagoon,

In ANSWER TO THE SEVENTH INTERROGATORY HE SAYETH

There is a public School building which is also used as a Church withi one half mile of the land, School is taught 6 months in the year, the average attendanc about 26 pupils, one teacher,

In ANSWER TO THE EIGHT INTERROGATORY HE SAYETH

The School house and church is One and a half miles distant from the land, no streams or water courses to be crossed, in going to

and from the school house and church,

IN ANSWER TO THE NINTH INTEROGATORY HE SAYETH

I am not interested in result of this proceeding,

CROSS INTEROGATORIE PROPOUNDED BY W. C. BEEBE. GUARDIAN AD LITEM. FOR MARY CHRISTIA ANDERSON.

TO THE FIRST CROSS INTEROGATORY HE SAITH

I do not know of any recent transfers of land in that locality nor its value, but think the lands in question are worth Seventy five dollars per acre, there is about onethird of the land heavily timbered, The timber on the land is worth about \$1500.00. It is yellow pine timber, There are no improvements on the land,

IN ANSWER THE THE SECOND CROSS INTEROGATORY. HE SAYETH

I do not know Mary Christina Anderson's Interest in the lands,

IN ANSWER TO THE THIRD CROSS INTEROGATORY. HE SAYETH

The property is producing no revenue at present, ~~xxxxxxx~~
The water front property could be developed, where it would bring a revenue, but I do not know what the probable cost would be to make such development,

IN ANSWER TO THE FOURTH CROSS INTEROGATORY HE SAITH.

I think the property will increase in value if additional expenditure are made, but do not know what expenditure is necessary

TO THE FIFT CROSS INTEROGATORY HE SAYETH

The present condition of the property is such that it will not decrease in value,

In ANSWER TO THE SIXTH INTEROGATORY HE SAYETH

I know the lands for thirty five years and I have lived near them for twenty five years, I am no relation to H. G. Anderson the petitioner, or to Mary Christina Anderson,

I have not heard any one express a desire to buy the lands,

I do not think a sale of the lands to the best interest of Mary Christina Anderson,

J. G. Shelly

No. _____

Cash No. 300r.

March 22nd 1911

Received of

J. M. Richardson as Registrar of
Circuit Court of Cass County
One hundred forty 00

DOLLARS

100

FOR

for Charles Hall of Gordon & Edington
in the case of H. G. Anderson as guardian of
Mary Christina Anderson a minor

\$140 00

Charles Hall of Gordon & Edington
by Charles Hall

4-24-1924

Dear Mr. Nicholas:

Please see

Judge Abel I signed
the vouchers from
on the day of the
receipts have and
thought I had made
some, but in fact
some other files I
came across, this
lets not make

I am sorry and
honor - have not
in connection of you
all -

Regards etc

Sincerely
Geo. W. L.

Received April 12th 1923 from
Charles H. H. Case, Case # 5-11, 1923

as my fee, as a witness,

for testimony in the case of

Lee v. Lee of 1923.

Walter P. Miller, Anderson

a member, no circuit court

of the state court, in equity.

Walter P. Miller.

Received April 12th 1923 from
Charles Fee, one $\frac{5}{8}$ dollars

as my fee, as a witness,

for testifying in the case of

Ray and H. S. Anderson, as

guardian of Mary Christine Anderson,

a minor, in Circuit Court of

Madison County, in Equity.

J. B. Childers

Ben Secour Ala.

April 20th. 1923.

Received of B.F.Patterson The sum of One dollar and
fifty cents fees as witness in the case of

EX-PARTE

H.G.ANDERSON, AS GUARDIAN OF
MARY CHRISTINA ANDERSON, A MINOR.

R. B. Callaway Jr

BON SECOUR, ALABAMA, June 4 1923

Received of John West the sum of

Three (3) dollars for acting as

examines in the case of Est-Park

Mrs. Anderson, as guardian of Mary

Anderson and a minor.

J. F. Patterson

FAIRHOPE, ALA., 10-1

1922

M. J. W. Richardson

IN ACCOUNT WITH

E. B. GASTON

PUBLISHER OF THE FAIRHOPE COURIER
AND JOB PRINTER

June 29 Bill rend

756

Recd Payment
E. B. Gaston

FAIRHOPE, ALA., 12-7- 1922

M. J. W. Richardson

IN ACCOUNT WITH

E. B. GASTON

PUBLISHER OF THE FAIRHOPE COURIER
AND JOB PRINTER

Nov. 30 x Dec 7. 216 word
2 Lin @ 2 1/2¢

540

Rec'd Payment
E. B. Gaston.

FAIRHOPE, ALA.,

Dec 2 1922

M. J. W. Robinson

IN ACCOUNT WITH

E. B. GASTON

PUBLISHER OF THE FAIRHOPE COURIER
AND JOB PRINTER

Oct 26 - 7nd 2 + 9

2/6 words @ 3 1/2

7 56

Rec'd payment
E. B. Gaston

Alabama,

April

, 1924.

Received of T.W.Richerson, as Register of the Circuit Court of Baldwin County, Alabama, the sum of _____ dollars, being the net proceeds from sale of lands in Baldwin County, Alabama, ~~as guardian~~ of Mary Christina Anderson, a minor, which said lands were sold to George C. Meyer, on the 31st day of January, 1924, by authority of an order and decree of the Circuit Court of Baldwin County, Alabama, made and entered in the premises on the 5th day of May, 1923.

as guardian of Mary Christina
Anderson, a minor.

THE STATE OF ALABAMA, :
: :
_____ COUNTY.:

I, _____ a Notary Public in and for said County and State, hereby certify that H.G. Anderson, whose name is signed to the foregoing receipt as Guardian of Mary Christina Anderson, a minor, and who is known to me, acknowledged before me on this day, that being informed of the contents of said receipt, he signed the same voluntarily on the day the same bears date as Guardian as aforesaid.

Given under my hand and seal of office this _____ day of April, 1924.

Notary Public,

In Re: H.G. Anderson, as guardian
of Mary Christina Anderson, a
Minor. :
To: T.W. Richersrson, Esq., :
Register of the Circuit Court
of Baldwin County.

In Circuit Court of
Baldwin County, In Equity.
No. 332.

You will make certified transcripts of the following orders, reports and decrees of this Court made and entered in above said cause namely: Order and decree made on the Fifth day of May, 1923, authorizing the sale of certain lands described in said decree; certified transcript of the report of sale made by said H.G. Anderson, as guardian of said minor, and filed in this Court on February 21, 1924, and, certified transcript of the decree confirming the report of sale and ordering payments of fees to guardians ~~and attorney~~ attorney and to guardian ad litem which decree was filed in this Court, on March Twenty First, 1924, and file said certified transcripts in the Court of Probate of Elmore County, Alabama.

You will take out or deduct from the purchase price of Fifteen hundred dollars (\$1500.00) for which said land was sold the fees of Charles Hall and Gordon and Eddington, attorneys for said H.G. Anderson as guardian as aforesaid, the fee of the guardian ad litem, W.C. Beebe, Esq., and the Court costs and commissions incurred by reason of this suit, and pay the balance of the purchase price over to the said H.G. Anderson as guardian of said minor and take from him a receipt therefor and record and file same in this Court with the papers in this cause, and send a copy of the receipt with the transcripts hereinabove referred to by Registered mail to the Judge of the Probate Court of Elmore County, Alabama.

Judge of the 21st Judicial Circuit of
Alabama.

Notice of Sale of Real Estate by Guardian.

Pursuant to a decree rendered on the 5th day of May, 1923, by Hon. John D. Leigh, Judge of the Circuit Court of Baldwin County, Alabama, sitting in equity, in a cause wherein H.C. Anderson, as Guardian of Mary Christina Anderson, a minor, applied to said court ^{Total} certain lands owned by said minor, for re-investment of the proceeds thereof.

Therefore, I, H.C. Anderson as Guardian of the aforesaid named minor will proceed to sell to the highest and best bidder, for cash, at public auction, in front of the court house door of Baldwin County, Alabama, at Bay Minette, within the legal hours ^{of sale} on Thursday, the 31st. day of January, 1924, the following described real estate:

The Northwest quarter of the Northwest quarter, containing 40 acres, more or less, Fractional Northwest quarter of the Southwest quarter containing 51 acres more or less, Fractional Northeast quarter of the Southwest quarter, containing 20 acres more or less, Fractional Northwest quarter of the Southeast quarter, containing 29 acres more or less, the South half of the Northeast quarter and the south half of the northwest quarter, containing 160 acres more or less, all in Sec. 17, in Township 9 south ^{of range} four east, in Baldwin County, Alabama, to satisfy said decree. Containing in the aggregate 280 acres, more or less.

Said sale will be made subject to any claim on the part of D.G. Cook and H.C. Anderson.

H.C. Anderson, as Guardian of Mary Christina Anderson, a minor.

EX-PARTE
H. G. ANDERSON, AS GUARDIAN OF
MARY CHRISTINA ANDERSON,
A MINOR.

: IN THE CIRCUIT COURT OF
: BALDWIN COUNTY, ALABAMA.
: IN EQUITY NO. 332.
:
:

In the matter of the application of H. G. Anderson, as Guardian of Mary Christina Anderson, a minor, to sell lands for re-investment of the proceeds thereof.

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE 21st., JUDICIAL CIRCUIT OF ALABAMA:

Comes D. G. Cook and shows to the court that the said minor, Mary Christina Anderson is the only child and sole heir at law of Maggie Cook Anderson, deceased, formerly Maggie A. Cook *who* was the sister of this petitioner; that the said Maggie A. Cook before she was married to H. G. Anderson, borrowed from this petitioner the sum of \$1149.03 and executed to this petitioner a mortgage on certain lands described in the copy of the mortgage hereto attached and marked Exhibit "A", to secure to this petitioner said sum of \$1149.03 and interest thereon. The copy of said mortgage hereto attached is made a part of this petition;

Petitioner ~~a~~vers and states on oath, that the indebtedness secured ~~by~~ said mortgage has not been paid, and the amount secured by said mortgage is due this petitioner together with the interest thereon; that said petitioner has been advised that the said H. G. Anderson, as guardian of said Mary Christina Anderson has been authorized ^{by} a decree of this court, rendered on the fifth day of May, 1923, to sell the lands described in said mortgage at public outcry, to the highest bidder, for cash, for re-investments of the proceeds thereof for the use and benefit of the said Mary Christina Anderson.

Wherefore, your petitioner prays the court to take cognizance of this matter and order a reference to be held by the Clerk and Register of this Court to ascertain the amount of the indebtedness due the mortgagee named in said mortgage; that

after ascertainment of said indebtedness after the lands shall have been sold by the said guardian, and the proceeds thereof paid to the Register and Clerk of this Court and the sale shall have been confirmed by the court; that the Court make an order and decree authorizing and directing the Clerk and Register of this Court to pay to the said D. G. Cook the amount ascertained to be due him on the mortgage debt here-in-above ~~referred~~ to, after first paying costs of Court and a reasonable attorney's fee to be paid to the attorneys of record representing the said H. G. Anderson as guardian as aforesaid, in this cause.

That should the lands sell for an amount in excess of the amount required to pay the court costs and attorney's fees and not enough to pay the entire indebtedness secured by the mortgage, then in that event, the Clerk and Register of this Court be authorized and directed to pay the balance over to the said D. G. Cook or his legal representative, upon the cancellation of said mortgage as required by section 4898 of the Code of Alabama of 1907. Should there be an excess over and above ^{the costs of Court, attorney's fees and} mortgage indebtedness then this petitioner further prays the court to order the excess paid to the guardian of said minor. And petitioner further prays for such other relief as may be just and proper to effectuate a settlement of the indebtedness secured by said mortgage; petitioner prays further that the Clerk and Register of this Court be directed by the Court, to have a copy of this petition served by the Sheriff on H. G. Anderson, as guardian of said minor who resides in Elmore, in Elmore County, Alabama.

D. G. Cook
Petitioner.

State of Alabama,

County of

Before the undersigned, a Notary Public, in and for said County, in said State, personally appeared D. G. Cook who is personally known to me and who being by me first duly sworn, according to law, deposes and says on oath, that the allegations stated in the foregoing petition are true and that no part of the indebtedness secured by said mortgage has been paid, and that the amount of the indebtedness secured by said mortgage is now due this petitioner.

D. G. Cook

Sworn to and subscribed before me this 18th day of May, 1923, and as evidence thereof I hereunto affix my seal of office.

E. W. Berry
N. P. Wilcox County, Ala.



"A"
Habit

The State of Alabama,
Wilcox County.

KNOW ALL MEN BY THESE PRESENTS, That, whereas, the under-
signed Maggie A. Cook justly indebted to D. G. Cook in the sum of
Eleven Hundred and forty nine & 03/100 Dollars due by a promissory
note bearing date of January 1st., 1910 and falling due January
1st., 1912 and bearing interest from date and being payable to said
D. G. Cook

and, whereas, the said Maggie A. Cook is desirous of securing the
prompt payment of said note, when same falls due: Now, therefore,
in consideration of said indebtedness, and to secure the prompt pay-
ment of the same at maturity, I, the said Maggie A. Cook has bargain-
ed and sold and do hereby grant, bargain, sell, and convey, unto the
said D. G. Cook the following described real estate, situated in
Baldwin County and State of Alabama, to-wit: The South half of the
Northeast quarter and the South half of the Northwest quarter of
Section 17, in Township 9 South of Range 4 East of the St. Stevens
Meridian Alabama, containing One Hundred and Sixty acres, Being
the land I obtained a Patent for from the Government. Also the
following to-wit:

A fractional part of North West $\frac{1}{4}$ of South West $\frac{1}{4}$ of the NW $\frac{1}{4}$ of
SW $\frac{1}{4}$) of Section #17, containing about Thirty one acres (31)
and a fractional part of the Northeast $\frac{1}{4}$ of the Southwest quarter
(NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section #17, containign about twenty acres (20)
and a fractional part of the Northwest $\frac{1}{4}$ of SouthEast $\frac{1}{4}$ (NW $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section #17 containing about Twenty nine acres, all
in Section #17, Township #9 South, Range # 4 East, being acres
more or less. warranted free from all incumbrance and against any ad-
verse claims.

TO HAVE AND TO HOLD the above granted premises unto the
said D. G. Cook his heirs and assigns, forever; and for the purpose
of further securing the payment of said note, I do hereby agree to
pay all taxes or assessments when imposed legally upon said premises,
and should I make default in the payment of the same, the said D. G.
Cook may, at his option pay off the same; all amounts so expended by
said D. G. Cook shall become a debt to D. G. Cook additional to the
indebtedness hereby specially secured, and shall be covered by this
mortgage, and bear interest from date of payment by said D. G. Cook
and be due and payable at the maturity of said note.

Upon condition, however, that if said Maggie A. Cook pay
said note..and reimburse said D. G. Cook for any amounts he may have
expended as taxes and insurance and interest thereon, then this
conveyance is to be null and void: but should default be made in the
payment of any sum expended by the said D. G. Cook or should said
note, or any part thereof, or the interest thereon, remain unpaid at
maturity, or should the interest of said D. G. Cook or his assigns,
in said property become endangered by reason of the enforcement of any
prior lien or incumbrance thereon, so as to endanger the debt hereby
secured, then in any of said events, the whole of said indebtedness
shall at once become due and payable, and this mortgage be subject to
foreclosure, as now provided by law in case of past due mortgages, and
the said D. G. Cook his agents or assigns, shall be authorized to
take possession of the premises hereby conveyed, and after giving
thirty days' notice, by publication once a week for three successive
weeks, of the time, place, and terms of sale, by publication in some
newspaper published in Bay Minette, in said County and State, to sell
the same in front of the Courthouse door of said county, at public
outcry, to the highest bidder, for cash, and apply the proceeds
of said sale, first, to the expense of advertising, selling, and
conveying, including a reasonable attorney's fee; second, to the pay-
ment of any amounts that may have been expended, or that may then be
necessary to expend, in paying insurance, taxes or other incumbrances,
with interest thereon; third, to the payment of said note in full,
whether the same or shall not have fully matured at the date of said
sale; but no interest shall be collected beyond the day of sale: and
fourth, the balance, if any, to be turned over to the said Maggie A.
Cook and I further agree that said D. G. Cook agents or assigns, may

bid at said sale and purchase said property, if the highest bidder therefor; and I further agree to pay a reasonable attorney's fee to said

D.G.Cook or his assigns for the foreclosure of this mortgage in Chancery, should the same be foreclosed; said fee to be a part of the debt hereby secured.

Witness my hand and seal, thisday of August, 1910.

Witnesses:
R.S. Capell, Sr.
R.E. Cook.

Maggie A.Cook (L.S.)

The State of Alabama,
Baldwin County.

I, J. N. Stanford, Judge of Probate in and for said County and State, hereby certify that R.S. Capell, Sr., a subscribing witness to the foregoing conveyance, known to me, appeared before me this day, and being sworn stated that Maggie A. Cook, the grantor, voluntarily executed the same in his presence of the other subscribing witness, on the day the same bears date; that he attested the same in the presence of the grantor...and of the other witness, and that such witness subscribed his name as a witness in presence.

Given under my hand, this 15th., day of October, 1910.

J. N. Stanford,
Judge of Probate.

The State of Alabama,)
Baldwin County.) Maggie A. Cook to D. G. Cook.
) Real Estate Mortgage.
)

I hereby certify that the within Real Estate Mortgage was received in this office for record 26th., day of October, 1917 at 8 o'clock A.M., and recorded in Mortgage Record, Vol. 26 N.S., page 564 this 29th., day of October 1917, and examined.

Jas. M. Voltz,
Judge of Probate.

State of Alabama,
Baldwin County.

I, James M. Voltz, Judge of Probate for said County, hereby certify that the following privilege tax has been paid on the within instrument as required by acts 1902 and 1903, viz: \$1 cts. 80.

Jas. M. Voltz,
Judge of Probate/
J.L. Kessler, Clerk.

EX PARTE,
H. G. ANDERSON, AS GUARDIAN
OF MARY CHRISTINA ANDERSON, A
MINOR.

No. 332
: IN THE CIRCUIT COURT OF
: BALDWIN COUNTY, ALABAMA,
: IN EQUITY.
:

In the matter of the application of H.G.Anderson, as Guardian of said minor, to sell lands for re-investment of the proceeds thereof.

In this cause, it is made to appear to the Judge of this Court by the petition of D.G.Cook, which is verified by his affidavit, wherein he alleges that the said Mary Christina Anderson is the only child and sole heir at law of Maggie Cook Anderson, deceased, formerly Maggie A.Cook; that said Maggie A.Cook before her marriage borrowed from the said D.G.Cook the sum of Eleven hundred forty-nine & 03/100 (\$1149.03) Dollars, and executed to the said D.G. Cook a mortgage on and covering the lands described in that certain petition or bill of complaint filed in this Court on the 27th, day of ----- January 1922, by the said H.G.Anderson, as Guardian of the said Mary Christina Anderson for ^{the sale of lands and the} re-investment of the proceeds thereof. And it appearing to the Court from the petition filed in this cause, in this Court, by the said D.G.Cook on the 21st, day of May 1923, that the allegations therein alleged are true: It is therefore ordered by the Court that a reference be held by the Clerk and Register of this Court to ascertain the amount of the indebtedness due ~~to~~ the mortgagee named in said mortgage, if any, and at the same time ascertain what would be a reasonable attorney's fee to be paid to the attorneys representing the said H.G.Anderson, as Guardian of the said Mary Christina Anderson, a minor; that a day be appointed by the Clerk and Register of this Court to ascertain what would be a reasonable attorney's fee to be paid to said attorneys, and also ascertain the amount of the indebtedness due the mortgagee in said named mortgage.

It is further ordered by the Court that the Clerk and Register of this Court issue notices in writing of this reference to the said H.G.Anderson, as Guardian as aforesaid, and to W.C.Beebe, the Guardian ad litem heretofore appointed by this Court to represent and protect the interest of the said Mary Christina Anderson in this suit, giving them ten days notice of the day, time and place set for the hearing of said reference before the Clerk and Register of this Court; that the Clerk and Register of this Court is hereby ordered to attach to the notices to be served on the said H.G.Ander-son, as Guardian as aforesaid, a copy of the petition and of the mortgage filed in this Court by the said D.G.Cook on the 21st, day of May, 1923.

And all other matters are reserved by the Court for further action in said cause.

Ordered, adjudged and decreed this 6th day of June, 1923.

John D. Leigh Judge.

THE STATE OF ALABAMA,

:
:
:

CIRCUIT COURT, IN EQUITY.

BALDWIN COUNTY.

No. 332.

Ex parte H.G. Anderson, as Guardian of Mary Christina Anderson,
a minor.

To T.W. Richerson, Clerk and Register.

In the above stated cause the answer of the guardian ad litem having been filed and the evidence having been taken, and the cause being ready for submission for a decree, and no objection having been interposed, the petitioner, by Chas. Hall and Gordon & Edington, as attorneys of record, now files with the Clerk and Register of this Court this written request to deliver the papers in this cause to the Judge for a decree in vacation.

Chas. Hall & Gordon & Edington
Attorneys for petitioner.

✓
No. 332.

Ex PARTE

H.G. Anderson, as Guardian
of Mary Christina Anderson,
a minor.

In Circuit Court, in Equity.

Request to deliver papers to
the Judge.

↓
Filed May 6th 1923.
D. W. Beckman
Register

Chas. Hall & Gordon & Edington,
Attorneys.

REGISTER'S REPORT.

EX PARTE H.G. Anderson, as :
guardian of Mary Christina: IN THE CIRCUIT COURT OF BALDWIN
Anderson, a minor : COUNTY IN EQUITY.

In this cause the Register reports to the Court that pursuant to a decree rendered by this Court on the Fifth day of May, 1923, H.G. Anderson, as guardian of the said Mary Christina Anderson, a minor, sold on the Thirty-first day of January, 1924, at public auction in front of the Court House door of Baldwin County, Alabama, between the legal hours of sale, the following described property to wit:

NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17, containing 40 Acres, more or less; Fractional NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17, containing 31 acres, more or less; Fractional NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, containing 20 acres, more or less; and Fractional NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17, containing 29 acres, more or less, all in Township 9 S.R.4 E.; also S $\frac{1}{2}$ of NE $\frac{1}{4}$ and S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 17, in Township 9 S.R.4 E., containing 160 acres, more or less, and all in Baldwin County, Alabama,

for the sum of \$1500.00, first having given notice once a week for three consecutive weeks previous to the sale of the time and place of said sale, by publication in the Baldwin Times, a newspaper printed and published at Bay Minette, in Baldwin County, Alabama.

Pursuant to said decree said guardian reported the sale to this Court and the proceeds of the sale thereof to wit the sum of \$1500.00, was paid to the undersigned as Register of this Court and is now retained by the undersigned *for* further orders of the Court.

T. W. Stevenson Register.

Report of Register

H.G. Anderson, as guardian.

Filed Feb 20/1924

J. McKeim
Register

IN THE CIRCUIT COURT OF BALDWIN COUNTY IN ALABAMA

H.G. Anderson, as guardian of the person and estate of Mary Christina Anderson a minor

In this cause the report made to the Court pursuant to a decree rendered by this Court on the fifth day of May, 1923, H.G. Anderson, as guardian of the said Mary Christina Anderson, a minor, sold on the thirty-first day of January, 1924, at public auction in front of the Court House door of Baldwin County, Alabama, between the legal hours of sale, the following described property to wit:

1/4 of NW 1/4 of Section IV, containing 40 acres, more or less; fractional NW 1/4 of SW 1/4 of Section IV, containing 31 acres, more or less; fractional NE 1/4 of the SW 1/4 of Section IV, containing 30 acres, more or less; and fractional NW 1/4 of Section IV, containing 32 acres, more or less, all in Township 9 S., Range 4 E.; also 1/4 of NE 1/4 and 1/4 of the NW 1/4 of Section IV, in Township 9 S., Range 4 E., containing 100 acres, more or less, and all in Baldwin County, Alabama.

for the sum of \$1500.00, that having given notice once a week for three consecutive weeks previous to the sale of the time and place of said sale, by publication in the Baldwin Times, a newspaper printed and published at Bay Minette, in Baldwin County, Alabama, pursuant to said decree said guardian reported the sale to this Court and the proceeds of the sale thereof to wit the sum of \$1500.00, was paid to the undersigned as Register of this Court and is now retained by the undersigned for further orders of the Court.

J. McKeim Register

Ex parte H. G. Anderson)
as guardian of Mary Christina)
Anderson, a minor.) In the Circuit Court of
Baldwin County, in Equity.
In re proceeding by said
guardian to sell lands of
said minor for reinvestment.

Report of Sale by Guardian under decree of sale rendered
by said Court.

To the Hon. John DD Leigh, Judge of said Court:

Comes the guardian, H. G. Anderson, duly appointed as shown by the letters of guardianship attached to the original petition on file in this proceeding, to be guardian of the estate of Mary Christina Anderson, a minor, and reports to the Court as follows:

1. That on the 27th day of January, 1922, your petitioner filed in this Court his petition in writing, duly verified by affidavit, for the sale of certain lands of said minor for reinvestment, which said lands are described as follows, to-wit:

The northwest quarter of the northwest quarter, containing 40 acres more or less. Fractional northwest quarter of the southwest quarter containing 31 acres more or less. Fractional Northeast quarter of the southeast quarter, containing 29 acres more or less, the south half of the northeast quarter and the south half of the northwest quarter, containing 160 acres more or less, all in section 17, Township nine south of range four east in Baldwin County, Alabama, containing in the aggregate 280 acres more or less; and on the 5th day of May, 1923 an order was made and entered by this Honorable Court directing the sale of said lands for the purpose set forth in said petition.

2. That pursuant to said decretal order of sale due advertisement of sale was made according to the statutes in such case made and provided, and a sale was cried at the court house of said county on the 31st day of May, 1923, at which one George C. Meyer bid in said lands at the sum of \$2880.00, and said sum was paid by said Meyer into the registry of this Court; but by reason of the matter having been complicated in the meantime by an intervening petition filed in this Court by one D. G. Cook, setting up a mortgage on said lands in his favor and seeking to subject the proceeds of said sale of May 31st, 1923, in whole or in part to the satisfaction of said mortgage, the undersigned then denying the claim of said Cook as alleged in his intervening petition and also denying the authority and jurisdiction of this Court to in any way adjudicate the validity of said mortgage in connection with his proceeding to sell the minor's interest in said lands for reinvestment, the undersigned also being dissatisfied with the price bid for said lands as aforesaid, he declined to report said sale to this Court; and on August 7th, 1923, this Court, having been apprised of the facts herein next above stated, by petition duly filed with the Judge thereof by the undersigned as guardian aforesaid and as administrator of the estate of ~~Maggie Cook Anderson~~, deceased, the mother of said minor, and the said George C. Meyer having asked permission to withdraw his said bid and to have the \$2880.00 refunded to him, made and entered an order on the records of said Court permitting such withdrawal and refund and directing the said guardian to re-advertise and sell the minor's said interest in said lands as ordered in said decree of sale of May 5th, 1923.

3. That pursuant to said decree of sale, notice of the time, place, and terms of sale, together with a description of the said property or lands, was ^{again} given by publication thereof in "Baldwin Times", a newspaper published in said county and State, once a week for three successive weeks; and said notice contained a statement that such sale would be made subject to said claim of D. G. Cook and also to any claim ^{to} of H. G. Anderson, meaning the undersigned as an individual, and referring to the life estate in said lands inherited by said Anderson from the said Maggie Cook Anderson, deceased.

and said property was sold on the 31st day of January, 1924, pursuant to said order and decree of May 5, 1923, and pursuant to said last mentioned publication of notice of same. At the said ~~sa~~ sale and before any bidding, the said publication of notice was read at length, and announcement made by the crier that the said claims of Cook and Anderson, respectively, consisted of said mortgage on said lands held by the former and a life estate in said lands inherited by the latter from said Maggie Cook Anderson deceased; and thereupon the said minor's interest in said lands were sold to George C. Meyer, who was the highest, best, and last bidder for the sum of fifteen hundred dollars (\$1500.00), all of which sum has been paid in cash to the Register of said Court as directed by said decree of sale of May 5th, 1923.

4. That said sale was conducted in all respects as is required by law in such cases and your petitioner verily believes that the price for which said minor's interest in said lands were sold as aforesaid is a fair and reasonable valuation of the same.

The premises considered, your petitioner prays that an order be made and entered on the records of said Court by your honor confirming said sale in all respects, and ordering execution of proper deed of conveyance to said purchaser.

Signed and dated this 19th day of February, 1924.

H. L. Anderson

Guardian of Mary Christina Anderson,
a minor.

Sworn to and subscribed before me, this the 19th day of February, 1924.

Sidon Mesa

Notary Public

Ex Parte H.G.Anderson, as :
guardian of Mary Christina : In the Circuit Court of
Anderson, a minor. : Baldwin County in Equity.

DECREE CONFIRMING REPORT OF SALE AND ORDERING PAYMENT OF
FEES TO GUARDIAN'S ATTORNEYS AND TO GUARDIAN AD LITEM.

This matter coming on to be further heard is submitted for decree upon the report of sale heretofore filed by said guardian of said minor's interest in the lands mentioned and described in said report which was filed in the office of the Register of this Court on the 21st day of February, 1924, and which report has lain over for more than ten days; and is also submitted upon the suggestion of the guardian praying for an order fixing the compensation for their service of his attorney of record, Charles Hall and Gordon & Edington as solicitors of the said guardian in filing petition for sale of the minor's land in this cause for re-investment and procuring the decree of sale thereof and for all other procedure necessary in carrying the matter of said proceedings to a conclusion including the execution of an appropriate deed to the purchaser of said minor's interest in said land; and also to fix the compensation of W.C.Beebe for services heretofore rendered as guardian ad litem of said minor in said proceeding.

And no exceptions having been made to said report of sale, and the Court having considered the same, and it appearing from said report that said sale was made in accordance with the terms of the decree of sale rendered May 5, 1923, and pursuant to publication of notice of sale made and published for three weeks next prior to date of sale to wit January 31, 1924, and that said property sold for an amount ^{not} greatly less than its real value, and that the purchaser at said sale has complied with terms thereof, having paid the full amount of the purchase money to wit the sum of \$1500.00, it is ordered, adjudged and decreed that said report and the sale of said property be, and the same are hereby ratified and confirmed.

It further appearing to the Court from satisfactory evidence that \$140.00 would be a reasonable compensation for the said

solicitors Charles Hall and Gordon & Edington for their services in this matter as above set forth and described it is ordered and decreed that said amount be paid to him by the Register out of the said proceeds of sale in the Register's hands, as a part of the costs and expenses of this proceeding; and it further appearing that \$25.00 would be a proper allowance to said guardian ad litem for his services in that capacity to said minor in this proceeding it is ordered and decreed that his compensation as such guardian ad litem be and the same is hereby fixed at said last mentioned amount and that the same be paid to him by the Register of this Court out of the proceeds of said sale in the hands of said Register.

It is further ordered by the Court that the Register of this Court make a deed of conveyance to the said George C. Meyer, the purchaser conveying to him all of said minor's interest in and to the land described in the decree of this Court, made and entered in this cause on the Fifth day of May, 1923.

Done and signed this the 15th day of March, 1924.

John D. Leigh
Judge of 21st Judicial Circuit.

IN RE: H.G. Anderson, as : In Circuit Court of Baldwin
guardian of Mary : County, In Equity.
Christina Anderson, a minor : No. 332.

To T.W. Richerson, Esq.,

Register of Circuit Court of Baldwin County.

You will make certified transcripts of the following orders, reports and decrees of this court made and entered in above said cause namely: Order and decree made on the Fifth day of May, 1923, authorizing the sale of certain lands described in said decree; certified transcript of the report of sale made by said H.G. Anderson, as guardian of said minor, and filed in this court on February 21, 1924, and, certified transcript of the decree confirming the report of sale and ordering payment of fees to guardian's attorneys and to guardian ad litem which decree was filed in this court on March Twenty-first, 1924, and file said certified transcripts in the Court of Probate of Elmore County, Alabama.

You will take out or deduct from the purchase price of Fifteen hundred dollars (\$1500.00) for which said land was sold the fees of Charles Hall and Gordon & Edington, attorneys for said H.G. Anderson as guardian as aforesaid, the fee of the guardian ad litem, W.C. Beebe, Esq., and the court costs and commissions incurred by reason of this suit, and pay the balance of the purchase price over to the said H.G. Anderson as guardian of said minor, ^{and} take from him a receipt therefor and record and file same in this court with the papers in this cause, and send a copy of the receipt with the transcripts hereinabove referred to by Registered mail to the Judge of the Probate Court of Elmore County, Alabama.

*Dated at Chambers at
Brewton Ala. April
17th 1924*

John D. Leigh
Judge of 21st Judicial Circuit
of Alabama.

The State of Alabama,
Elmore County.

Probate Court,

December 21, 1921.

Be it remembered and made known to all whom it may concern:

That on the application of H.G. Anderson to my said Court, I have caused these letters of Guardianship to issue in favor of the said H.G. Anderson in and upon the Persons, Goods and Chattels, Rights and Credits of Mary Christina Anderson, a minor and, in every case which occasion may require, the said H.G. Anderson is authorized to bring suit and be sued as the lawful Guardian to the said Mary Christina Anderson.

Dated this 21st day of December 1921.

L.C. Smith, Judge of Probate

(Seal)

Elmore County .Recorded in Book Letters Testamentary,
page 318.

State of Alabama.
Elmore County.

I.G.H. Howard, Judge of Probate in and for said County and State hereby certify that the above is a true copy of the letters Testamentary, page 318 as is shown in my office, and I also certify that as far as the files in this office show H.G. Anderson is still the guardian of Mary Christina Anderson, a minor.

Given under my hand this 28 day of March, 1924.

G.H. Howard
Judge of Probate.

Ex Parte H. G. Anderson,
as guardian of Christina
Anderson

Circuit Court of
Bredwin County in
Equity.

Come George Meyer and shews to
the Court that under its decree
the lands described in the petition for
sale of same in this proceeding were
sold in accordance therewith and
he became the purchaser of same for
the sum of \$2880 which he has paid
in to this court on the date of said
sale to wit May 31st 1923. This Anderson
was as guardian of his daughter
Mary Christina Anderson was not satis-
fied with the price for which said
lands were sold and ~~has~~ has failed and
refuses to make a report of said sale.
Petitioner was not represented by counsel
~~in~~ this matter but was informed by
counsel for said guardian in said
proceeding that the purchaser at such
sale would get a clear title thereat
and thereby, but since said sale it
has developed that the guardian's life
interest did not pass by said sale and
~~that~~ there is a mortgage on said property
for a sum nearly as large as the
purchase price, ^{which petitioner was told would be paid out of same} the value of which
^{was} disputed by said Anderson. Wherefore
petitioner asks to be allowed to
withdraw his bid and the money
he has paid into court be refunded
to him.

Webb & Shepard
attys for George Meyer

BALDWIN COUNTY BANK

61-258

BAY MINETTE, ALA., April 16th, 192⁴

\$1236.17

CUSTOMER'S DRAFT

PAY TO THE ORDER OF Myself,

\$ 1236.17.

Twelve hundred thirty six and 17/100 DOLLARS

hereto attached.

VALUE RECEIVED AND CHARGE SAME TO ACCOUNT OF as per receipt

To T.W. Richerson, as Register of
the Circuit Court of Baldwin County,
Alabama.

H. Anderson
As guardian of Mary Christina Anderson.

BAY MINETTE, ALA.

Apr 10

1924 No.

BALDWIN COUNTY BANK

61-258

PAY TO THE
ORDER OF

Chas. Hill

\$ *9⁰⁰*

Nine

DOLLARS

*Winters 75⁰⁰
150 for Ramp
on see
Cse N Sanderson*

J. P. McCremon

State of , Alabama,
Montgomery County.

April 16th, 1924.

\$ 1236.17

Received of T.W.Richerson, as Register of the Circuit Court of Baldwin County, Alabama, the sum of Twelve hundred thirty six and 17/100 dollars, being the net proceeds from sale of lands in Baldwin County, Alabama, ~~as guardian~~ of Mary Christina Anderson, a minor, which said lands were sold to George C. Meyer, on the 31st day of January, 1924, by authority of an order and decree of the Circuit Court of Baldwin County, Alabama, made and entered in the premises on the 5th day of May, 1923.

H. G. Anderson
as guardian of Mary Christina Anderson, a minor.

The State of Alabama,
Montgomery Co.

I. Isidor Mee a Notary Public in and for said County, and State hereby certify that H.G. Anderson, a Notary Public in and for said County and State, hereby certify that H.G. Anderson, whose name is signed to the foregoing receipt as Guardian of Mary Christian Anderson, a Minor, and who is known to me, acknowledged before me on this day, that being informed of the contents of said receipt, he signed the same voluntarily on the day the same bears date as Guardian aforesaid.

Isidor Mee
Notary Public.



T. W. RICHERSON
REGISTER AND CLERK OF THE CIRCUIT COURT
BALDWIN COUNTY
BAY MINETTE, ALA.

May 12th, 1926.

Hon. B. F. Turner,
Mobile Ala.

Dear Sir:-

Enclosed find papers in cause of Ex parte
H. G. Anderson, which I rounded up at last carefully filed
in a brilliant legal lights office in Bay Minette.
Hoping it is not too late for service I beg to remain

Yours truly,

T. W. Richerson

Largest Weekly Circulation in South Alabama

Bay Minette Ala., 5/24/72

M H. G. Anderson, Guardian Mary Christina Anderson

THE BALDWIN TIMES

FINE JOB PRINTING. BEST ADVERTISING MEDIUM

PROMPT SERVICE. LOWEST PRICES.

LOCAL AND LONG DISTANCE TELEPHONE

All Bills Must Be Paid Within 30 Days

To Publishing Sale of Real Estate Notice 3 times

251 words @ 3 1/2

879

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.

R. B. Vail

being duly sworn, deposes and

says that he is the ^{*James*} ~~FOREMAN~~ of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

*Notice of Sale of Real Estate by Guardian
by H G Anderson as Guardian
of Mary Christina Anderson*

Was published in said Newspaper for 3 consecutive weeks

on the following dates:

Publication

May 10

Vol. 13 No. 34

" 17

Vol. 14 No. 34

" 24

Vol. 15 No. 34

Vol. _____ No. _____

Subscribed and sworn to before the undersigned

this *24th* day of *May* 19*23*.

Dr. R. C. ...
Clerk Circuit Court.

R. B. Vail
Foreman.

Notice of Sale of Real Estate By Guardian.

Pursuant to a decree rendered on the 5th day of May, 1923, by Hon. John D. Leigh, Judge of the Circuit Court of Baldwin County, Alabama, sitting in equity, in a cause where in H. G. Anderson, as Guardian of Mary Christina Anderson, a minor, applied to said court to sell land owned by said minor, for re-investment of the proceeds thereof.

Therefore, pursuant to said decree, I shall proceed to sell to the highest and best bidder, for cash, at public auction, in front of the court house door of Baldwin County, Alabama, at Bay Minette, within legal hours of sale on Thursday, the 31st day of May, 1923, the following described real estate:

The Northwest quarter of the Northwest quarter, containing 40 acres, more or less, Fractional Northwest quarter of the Southwest quarter containing 31 acres more or less, Fractional Northeast quarter of the Southwest quarter, containing 20 acres more or less, Fractional Northwest quarter of the Southeast quarter, containing 29 acres more or less, the South half of the Northeast quarter and the south half of the northwest quarter, containing 16 acres more or less, all in Sec. 17, in Township 9 south of range four east, in Baldwin County, Alabama, to satisfy said decree. Containing in the aggregate 280 acres, more or less.

Witness my hand this 7th day of May, 1923.

H. G. Anderson, as Guardian of Mary Christina Anderson, a minor
Charles Hall and Gordon Edington, Attorneys. 13-34

“ “ second “

“ “ third “

“ “ fourth “

N. G. Anderson

Jan 3 Notice of Sale of
Real Estate Liquidation
Mary Christian Anderson
28¢ @ 3 times | 100¢

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.

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

Ex parte H. G. Anderson

Was published in said Newspaper for 3 consecutive weeks

in the following issues:

Date of first publication	<u>Jan 3 1924</u>	Vol. <u>34</u>	No. <u>47</u>
“ “ second “	<u>11 10 11</u>	Vol. <u>35</u>	No. <u>48</u>
“ “ third “	<u>11 17 11</u>	Vol. <u>36</u>	No. <u>48</u>
“ “ fourth “		Vol. _____	No. _____

Subscribed and sworn to before the undersigned

this 24 day of Nov 1924.

J. W. Rice
Clerk Circuit Court.

J. J. Moses
Foreman.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Ex Parte, H.G. Anderson, as Guardian
of Mary Christina Anderson, a Minor.
Complainant
vs.
Defendant

To Hon. W.C. Beebe, Guardian Ad Litem for Mary Christina Anderson, a Minor

Solicitor of Record:

You are hereby notified that interrogatories have this day been filed by Messers Chas. Hall,
Gordon and Eddington, in the office of the Clerk of the Circuit Court of
Baldwin County, to be propounded to D.C. Arthur, Guss Mitchell,
and W.W. Anderson,

witnesses for the Complainant, in the above stated cause. A copy of which
interrogatories may be had upon application to said Clerk; and you can file cross-interrogatories, if you think
proper, within ten days after service of this notice, at the expiration of which time a commission will issue to take
the deposition of said witnesses. The witnesses reside in Bon Secour,
in the County of Baldwin in the State of Alabama,
and the Commissioner proposed by the Complainant, to-wit: T.W. Richersob, Register,

resides in Bay Minette, in the County of Baldwin
in the State of Alabama,

Witness my hand, at office in Bay Minette, this the 13th, day of
March, 19 22.

T.W. Richerson
Register.

Original

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Ex Parte, H.G. Anderson,
as Guardian of Mary

Christina Anderson, a
Minor, Complainant
vs.

Defendant.

NOTICE OF INTERROGATORIES.

To Hon. W.C. Beebe.

*Recd Copy on
W.C. Beebe*

Received in office this 13th,
day of March, 19 22
W.R. Street
Sheriff.

Executed on this 14th
day of March 19 22
by leaving a copy of the within notice
with *W.C. Beebe*
Solicitor of Record for *Guardian*
Ad Litem for Christina
Anderson.
W.R. Street
Sheriff.

EX-PARTE : CIRCUIT COURT, BALDWIN COUNTY,
H.G.ANDERSON, AS GUARDIAN OF : ALABAMA, IN EQUITY.
MARY CHRISTINA ANDERSON, A MINOR. :

CROSS-INTERROGATORIES propounded by W.C.Beebe, Guardian ad litem for Mary Christina Anderson, a minor, to Walter B.Miller, J.B. Childress and R.B.Calloway, Jr, witnesses for petitioner:

1st. If you say that you know the property described in direct interrogatory three, state what the value of said property is. Give, if you know the value of adjacent lands per acre. State if you know the consideration for recent transfer of lands in the locality of this land. State the value of the lands involved in this suit, exclusive of the improvements, giving the value of the improved or cultivated lands, if any, and the value of wild lands. State whether or not these lands or any part of them are timbered, and if timbered, state the kind, size, age and quantity and value of such timber. State the value of all improvements, listing them separately and giving the value of each.

2nd. State the interest of Mary Christina Anderson in such lands, and whence her title or interest is derived.

3rd. State whether or not such property is producing revenue and how much. State whether or not it may be made to produce or increase revenue, and what the probable cost of putting the property in condition to produce revenue or its maximum revenue.

4th. State whether or not you think lands in question will increase in value in the near future, and whether or not this property will increase without additional expenditures on it, and if expenditures will be necessary, what amount of expenditure would be required.

5th: State whether or not the present condition of the property is such that it will or not decrease in value.

6th. State how long you have known these lands and how long you have lived near the lands. State whether or not you are related to the petitioner or to Mary Christina Anderson, and what is the relation. State whether or not you have heard anyone express a desire to buy these lands, and if so, what price they will pay. State any facts that you may have relative to the value of this land. Do you consider a sale of the lands to the best interest of Mary Christina Anderson?



Guardian ad litem for Mary Christina
Anderson, a minor.

Copy

EX-PARTE,

H.G. Anderson, as Guardian
of Mary Christina Anderson,
a minor.

CROSS-INTERROGATORIES.

Filed Feb 6/1923
W. H. Keenan
Register

EX-PARTE

H.G.ANDERSON, AS GUARDIAN OF
MARY CHRISTINA ANDERSON, A
MINOR.

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

DIRECT INTERROGATORIES.

INTERROGATORIES to be propounded to Walter B. Miller, J. B. Childress and R. B. Calloway, Jr., who are material witnesses on behalf of the petitioner, and whose depositions when taken will be offered in evidence on the trial of said cause. Said witnesses reside at or near BonSecour, in Baldwin County, Alabama.

INTERROGATORY 1: To each of the above named witnesses:
Where do you reside? Please state your name, age and post office address. Where have you been living for the last five years?

INTERROGATORY 2: To each of the foregoing named witnesses:
Did you know Margaret Cook Anderson, formerly Margaret Cook? If you say yes, then state what became of her. Did she have any children, if so, how many? If you say yes, then state their names or name, and age, if you know it.

INTERROGATORY 3: To each of the foregoing named witnesses:
Have any of you been upon the following described lands, namely: N.W. $\frac{1}{4}$ of N.W. $\frac{1}{4}$, containing 40 acres, more or less; Fractional N.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$, containing thirty-one acres, more or less; Fractional N.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$, containing 20 acres, more or less; Fractional N.W. $\frac{1}{4}$ of S.E. $\frac{1}{4}$, containing 29 acres, more or less; S $\frac{1}{2}$ of NE $\frac{1}{4}$ and S $\frac{1}{2}$ of N.W. $\frac{1}{4}$, containing 160 acres, more or less, all in Section 17, Township 9 South, Range 4 East, and all in Baldwin County, Alabama. If you say yes, then state when was the first time you went upon and over the lands, and also state when was the last time you went upon and over the land hereinabove described. Also name the distance each of you live from the land, then state its character, whether or not it is hilly, broken, low and swampy and wet and damp.

INTERROGATORY 4: To each of the foregoing named witnesses:
Please name the distance from the land to the nearest railroad, and give the name of the railroad and name of the nearest railroad station to the land.

INTERROGATORY 5: To each of the foregoing named witnesses:
Is there any public highway leading to and from the land involved in this suit, if so, is this public highway worked and kept up by the County of Baldwin, as a public highway so that wagons, motor trucks and other vehicles can pass over said highway loaded with agricultural produce or material of any description?

INTERROGATORY 6: To each of the foregoing named witnesses:
Please state what you know about the water transportation to and from the land in question. If you say the water transportation is good, then state the distance from the landing on the water to the nearest accessible point to the land. Is there or not a public road leading from the landing on the water to the land? If you say yes, then state whether or not there are any branches or streams of water to cross in going to and from the landing to the land. If you say there is a public road leading

from the landing to the land, then state whether or not the road is being kept up in good condition so that it can be traveled by the public generally.

INTERROGATORY 7: To each of the foregoing named witnesses:

Is there a public school building or church building near the land? If you say yes, then state the number of months the school is taught during each year, and the number of children that attend the school, and also the number of teachers who teach each year in said school.

INTERROGATORY 8: To each of the foregoing witnesses:

If you say there is a school house and church near the land, then name the distance from the land to the ~~school~~ school building and from the land to the church building, also whether or not there are any water courses to cross in going from and to the school house and church.

INTERROGATORY 9: To each of the foregoing named witnesses:

Are you or either of you interested in the result of this proceeding?

Wm. Hall & Gordon Edington
Attorneys for Petitioner.

Note: The name of B.F. Patterson ^{of Monroe, Ala.} is suggested as Commissioner and as a suitable person to take the depositions of said witnesses.

Wm. Hall & Gordon Edington
Attorneys for Petitioner.

EX-PARTE
Anderson, as Guardian of
Christina Anderson,
a minor.

Direct interrogatories.

Filed February 6/1923.
W. R. Rigney
Register

The State of Alabama, }
Baldwin County

CIRCUIT COURT.

To Hon. P. J. Cooney,

KNOW YE, That we, having full faith in your prudence and competency, have appointed you Commission-
er, and by these presents do authorize you, at such time and place as you may appoint, to call before you and
examine Gip Shelby, James W Calloway, and George C Randolph,

as witnesses in behalf of Complainant, in a cause pending in our Circuit

Court of Baldwin County, of said State, wherein

Ex Parte H.G. Anderson, as Guardian of Mary Christians Anderson,
a Minor,

Complainant

and

Defendant,

on oath to be by you administered, upon interrogatories and cross interrogatories,
to take and certify the deposition of the witness and return the same to our Court, with all convenient
speed, under your hand.

Witness 26th, day of April, 1922.

D. W. Peterson

Register.

Commissioners Fee \$

Witness Fee's \$

No. 332

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT.

Ex parte H.G. Anderson, as Guardian

of Mary Christiana Anderson, a Minor.

Complainant.....

vs.

Defendant.....

COMMISSION TO TAKE DEPOSITION
ON INTERROGATORIES.

COMMISSIONER:

Hon. P. J. Cooney.

WITNESSES:

Geo. C Randolph

Joseph C Callaway,

James W Callaway.

EX-PARTE :
H.G.ANDERSEN, AS GUARDIAN OF : IN CIRCUIT COURT OF BALDWIN
MARY CHRISTIANA ANDERSON, a : COUNTY, ALABAMA,
MINOR. : IN EQUITY.
::

DIRECT INTERROGATORIES.

INTERROGATORIES to be propounded to Gip Shelby, James W. Calloway, and Joseph Calloway and George C. Randolph who are material witnesses on behalf of the petitioner, and whose depositions when taken will be offered in evidence on the trial of said cause. Said witnesses reside at ^{near} Bon Secour, Baldwin County, Alabama.

INTERROGATORY 1: To each of the above named witnesses:

Where do you reside? Please state your name, age and post office address. Where have you been living for the last five years?

INTERROGATORY 2: To each of the foregoing named witnesses:

Did you know Margaret Cook Anderson, formerly Margaret Cook? If you say yes, then state what became of her. Did she have any children, if so how many? If you say yes, then state their names or name, and age, if you know it.

INTERROGATORY 3: To each of the foregoing named witnesses:

Have any one of you been upon the following described lands, namely: N.W. $\frac{1}{4}$ of N.W. $\frac{1}{4}$, containing 40 acres, more or less; Fractional N.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$, containing thirty-one acres more or less; Fractional N.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$, containing 20 acres, more or less; Fractional N.W. $\frac{1}{4}$ of S.E. $\frac{1}{4}$, containing 20 acres, more or less; S $\frac{1}{2}$ of N.E. $\frac{1}{4}$ and S $\frac{1}{2}$ of N.W. $\frac{1}{4}$, containing 160 acres, more or less. All in Section 17, Township 9 South Range 4 East, and all in Baldwin County, Alabama. If you say Yes, then state when was the first time you went upon and over the lands, and also state when was the last time you went upon and over the land hereinabove described. Also name the distance each of you live from the land, then state its character, whether or not it is hilly, broken, low and swampy and wet and damp.

INTERROGATORY 4: To each of the foregoing named witnesses:

Please name the distance from the land to the nearest railroad, and give the name of the railroad and name of the nearest railroad station to the land.

INTERROGATORY 5: To each of the foregoing named witnesses:

Is there any public highway leading to and from the land involved in this suit, if so, is this public highway worked and kept up by the County of Baldwin, as a public highway so that wagons, motor trucks and other vehicles can pass over said highway loaded with agricultural produce or material of any description?

INTERROGATORY 6: To each of the foregoing named witnesses:

Please state what you know about the water transportation to and from the land in question; If you say the water transportation is good, then state the distance from the landing on the water to the nearest accessible point to the land. Is there or not a public road leading from the landing on the water to the land? If you say yes, then state whether or not there are any branches or streams of water to cross in going to and from the landing to the land, if you say there is a public road leading from the landing to the land, then state whether or not the road is being kept up in good condition so that it can be traveled by the public generally.

INTERROGATORY 7: To each of the foregoing named witnesses:

Is there a public school building or church building near the land? If you say yes, then state the number of months the school is taught during each year, and the number of children that attend the school, and also the number of teachers who teach each year in said school.

INTERROGATORY 8: To each of the foregoing ~~witnesses~~ named witnesses

If you say there is a school house and church near the land then name the distance from the land to the school house and from the land to the church building, also whether or not there are any water courses to cross in going from and to the school house and church.

INTERROGATORY 9: To each of the foregoing named witnesses:
Are you or either of you interested in the
result of this proceeding ?

Chas Hall & Gordon Edington
Attorneys for Petitioner.

NOTE : The name of ~~W. Richardson~~, Register of the Circuit
P. J. Rooney
Commissioner and as
Court is suggested as a suitable person to take the deposition
of said witnesses.

Chas Hall & Gordon Edington
Attorneys for Petitioner.

EX-PARTE,
H.G.ANDERSON, as GUARDIAN OF
MARY CHRISTINA ANDERSON, a minor.:

CIRCUIT COURT BALDWIN COUNTY,
ALABAMA, IN EQUITY.

CROSS-INTERROGATORIES propounded by W.C.Beebe, Guardian ad litem
for Mary Christina Anderson, a minor, to Gip Shelby, James W.Calloway
Joseph Calloway and George C.Randolph, witnesses for petitioner;

1st: If you say that you know the property described in direct
interrogatory three, state what the value of said property is. Give,
if you know the value of adjacent lands per acre. State if you know
the consideration for recent transfer of lands in the locality of
this land. State the value of the lands involved in this suit, exclu-
sive of the improvements, giving the value of improved or cultivated
lands, if any, and the value of wild lands. State whether or not
these lands or any part of them are timbered, and if timbered state
the kind, size, age and quantity and value of such timber. State the
value of all improvements, listing them separately and giving the
value of each.

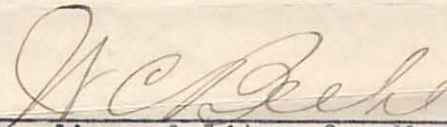
2nd: State the interest of Mary Christina Anderson in such
lands, and whence her title or interest is derived.

3rd: State whether or not such property is producing revenue
and how much. State whether or not it may be made to produce or
increase revenue, and what the probable cost of putting the property
in condition to produce revenue or its maximum revenue.

4th: State whether or not you think lands in question will
increase in value in the near future, and whether or not this prop-
erty will increase without additional expenditure on it and if
expenditures will be necessary what amount of expenditure would be
required.

5th: State whether or not the present condition of the property
is such that it will or not decrease in value.

6th: State how long you have known these lands and how long
you have lived near the lands. State whether or not you are related
to the petitioner or to Mary Christina Anderson and what is the
relation. State whether or not you have heard any one express a
desire to buy these lands and if so what price they will pay. State
any facts you may have relative to the value of this land. Do you
consider a sale of the lands to the best interest of Mary Christina
Anderson?


Guardian ad litem for Mary Christina
Anderson, a minor.

EX-PARTE
H.G.ANDERSON, AS GAURDIAN OF
MARY CHRISTIANA ANDERSON,
A MINOR.

: IN THE CIRCUIT COURT OF BALDWIN
: COUNTY, ALABAMA.
: IN EQUITY NO. 332.
:
:

In the matter of the application of H.G.Anderson, as Guardian of Mary Christiana Anders n, a minor, to sell lands for reinvestment of the proceeds thereof.

TO THE HONORABLE JOHN D.LEIGH, JUDGE OF THE TWENTY FIRST JUDICIAL CIRCUIT OF ALABAMA;

Comes D.G.Cook and shows to the Court that the said minor, Mary Christina Anderson is the only child and sole heir at law of Maggie Cook Anderson, deceased, formerly Maggie A.Cook who was the sister of this petitioner; that the said Maggie A.Cook before she was married to H.G. Anderson, borrowed from this petitioner the sum of \$1149.03 and executed to this petitioner a mortgage on certain lands and described in the copy of the mortgage hereto attached and marked "EXHIBIT A" to secure to this petitioner said sum of \$1149.03 and interest thereon. The copy of said mortgage hereto attached is made a part of this petition;

Petitioner avers and states on oath, that the indebtedness secured by said mortgage has not been paid, and the amount secured by said mortgage is due this petitioner together with the interest thereon; that said petitioner has been advised that the said H.G.Anderson, as guardian of said Mary Christiana Anderson has been authorized by a decree of this Court, rendered on the 5th day of May, 1923, to sell the lands described in said mortgage at public outcry, to the highest bidder, for cash, for reinvestment of the proceeds thereof for the use and benefit of the said Mary Christiana Anderson.

Wherefore, your Petitioner prays the Court to take cognizance of this matter and order a reference to be held by the Clerk and Register of this Court to ascertain the amount of the indebtedness due the mortgagee named in said mortgage, that after ascertainment of said indebtedness after the lands shall have been sold by the said guardian, and the proceeds thereof paid to the Register and Clerk of this Court and the sale shall have been confirmed by the Court that the Court make an order and decree authorizing and directing the Clerk and Register of this Court to pay to the said D.G.Cook the amount ascertained to be due him on the mortgage debt herein above inferred to, after first paying costs of Court and a reasonable attorneys fee to be paid to the attorneys of record representing the said H.G.Anderson as guardian as aforesaid, in this cause.

That should the lands sell for an amount in excess of the amount required to pay the Court costs and attorney's fees and not enough to pay the entire indebtedness secured by the mortgage, then in that event, the Clerk and Register of this Court be authorized and directed to pay the balance over to the said D.G.Cook or his legal representatives, upon the cancellation of said mortgage as required by Section 4898 of the Code of Alabama of 1907. Should there be an excess over and above the cost of the Court, attorneys fees and mortgage indebtedness then this petitioner further prays the court to order the excess paid to the guardian of said minor. And petitioner further prays for such other relief as may be just and proper to effectuate a settlement of the indebtedness secured by said mortgage; petitioner prays further that the Clerk and Register of this Court be directed by the Court, to have a copy of this petition served by the Sheriff on H.G.Anderson, as guardian of said minor who resides in Elmore, in Elmore County, Alabama.

D.G.Cook
Petitioner.

State of Alabama,
County of

Before the undersigned, a Notary Public, in and for said County in said State, personally appeared D.G.Cook, who is personally known to me and who being by me first duly sworn, according to law, deposes and says on oath, that the allegation/stated in the foregoing petition are true and that no part of the indebtedness secured by said mortgage has been paid, and that the amount of the indebtedness secured by said mortgage is now due this petitioner.

D.G.Cook

Sworn to and subscribed before me this 18th day of May, 1923, and as the evidence thereof, I hereunto affix my seal of office.

E.W.Berry-Wilcox County.
N.P COUNTY, ALA

"EXHIBIT A"

The State of Alabama,
Wilcox County.

KNOW ALL MEN BY THESE PRESENTS, That, whereas, the undersigned Maggie A. Cook justly indebted to D.G. Cook in the sum of Eleven Hundred and Forty Nine and 03/100 Dollars due by a promissory note bearing date of Jan. 1st, 1910 and falling due Jan. 1st, 1912 and bearing interest from date and being payable to said D.G. Cook and, whereas, the said Maggie A. Cook is desirous of securing the prompt payment of said note, when same falls due: Now, therefore, in consideration of said indebtedness, and to secure the prompt payment of the same at maturity, I, the said Maggie A. Cook, has bargained and sold and do hereby grant, bargain, sell, and convey, unto the said D.G. Cook the following described Real Estate, situated in Baldwin County and State of Alabama, to-wit: The South Half of the Northeast quarter and the South Half of the Northwest quarter of Section 17, in Township 9 South of Range 4 East of the St. Stephens Meridian, Alabama, containing One Hundred and Sixty Acres, Being the land I obtained a patent for from the Government. Also the following to-wit:

A fractional part of North West $\frac{1}{4}$ of South West $\frac{1}{4}$ of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section #17, containing about Thirty one Acres (31) and a fractional part of the Northeast $\frac{1}{4}$ of the South West Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section #17, containing about Twenty acres (20) and a fractional part of the Northwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$ (NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section #17 containing about twenty nine acres, all in section #17, Township #9 South, Range #4 East, being acres more or less, warranted free from all incumbrance and against any adverse claims.

TO HAVE AND TO HOLD the above granted premises unto the said D.G. Cook his heirs and assigns, forever; and for the purpose of further securing the payment of said note, I do hereby agree to pay all taxes or assessments when imposed legally upon said premises, and should I make default in the payment of the same, the said D.G. Cook may, at his option pay off the same; all amounts so expended by the said D.G. Cook shall become a debt to D.G. Cook additional to the indebtedness hereby specially secured, and shall be covered by this mortgage, and bear interest from date of payment by said D.G. Cook and be due and payable at the maturity of said note.

Upon condition, however, that if said Maggie A. Cook pay said note and reimburse said D.G. Cook for any amount she may have expended as taxes and insurance and interest thereon, then this conveyance is to be null and void; but should default be made in the payment of any sum expended by the said D.G. Cook or should said note, or any part thereof, of the interest thereon, remain unpaid at maturity, or should the interest of said D.G. Cook, or his assigns, in said property become endangered by reason of the enforcement of any prior lien or encumbrance thereon, so as to endanger the debt hereby secured then in any of the said events, the whole of said indebtedness shall at once become due and payable, and this mortgage be subject to foreclosure, as now provided by law in case of past due mortgages, and the said D.G. Cook whose agents or assigns, shall be authorized to take possession of the premises hereby conveyed, and after giving thirty days notice, by publication once a week for three successive weeks, of the time, place, and terms of sale, by publication in some newspaper published in Bay Minette, in said County and State, to sell the same in front of the Court House door of said County, at public outcry, to the highest bidder, for cash, and apply the proceeds of said sale, first, to the expense of advertising, selling, and conveying, including a reasonable attorney's fee; second, to the payment of any amounts that may have been expended, or that may then be necessary to expend, in paying insurance, taxes or all incumbrances, with interest thereon; third, to the payment of said note in full, whether the same shall or shall not have fully matured at the date of said sale; but no interest shall be collected beyond the day of sale: and fourth, the balance if any, to be turned over to the said Maggie A. Cook and I further agree that the said D.G. Cook agents or assigns, may bid at said sale and purchase said property, if the highest bidder therefor; and I further agree to pay a reasonable attorney's fee to said D.G. Cook or his assigns for the foreclosure of this mortgage in Chancery, should the same be foreclosed; said fee to be a part of the debt hereby secured.

Witness my hand and seal, this ---- day of Aug, 1910.

Witnesses:
R.S. Capell, Sr.
R.E. Cook.

Maggie A. Cook (L.S)

The State of Alabama,
Baldwin County.

I, J.N.Stanford, Judge of Probate in and for said County and State, hereby certify that R.S.Capell, Sr., a subscribing witness to the foregoing conveyance, known to me, appeared before me this day, and being sworn stated that Maggie A.Cook the Grantor, voluntarily executed the same in his presence of the other subscribing witness, on the day the same bears date; that he attested the same in the presence of the grantor and the of the other witness, and that such witness subscribed his name as a witness in presence.

Given under my hand this 15th day of October, 1910.

J.N.Stanford
Judge of Probate.

The State of Alabama,)
Baldwin County) Maggie A Cook to D.G.Cook.
Real Estate Mortgage.

I hereby certify that the within Real Estate mortgage was received in this office for record 26th day of October, 1917 at 8 o'clock A.M., and recorded in Mortgage Record, Vol.26 H.S., page 564 this 29th day of October 1917, and examined.

Jas.M.Voltz,
Judge of Probate.

State of Alabama,
Baldwin County,

I, Jas.M.Voltz, Judge of Probate for said County hereby certify that the following privilege tax has been paid on the within instrument as required by acts 1902 and 1903, viz:- \$1. cts 80.

Jas.M.Voltz,
Judge of Probate.
J.L.Kessler, Clerk.

Filed May 21, 1923.
T.W.Richerson.
Clerk.

The State of Alabama,
Baldwin County.

Circuit Court Baldwin
County, In Equity.

To Hon. W. C. Beebe, Guardian ad litem for Christina
Anderson.

Take notice that the undersigned Clerk and Register
of our said Circuit Court, will execute the decree of
reference in this cause, rendered on the 6th, day of June
1923, at his office in the Court House, on the 11th day of
July, 1923, at 2.30 O' clock P.M. at which time and
place you will attend if you choose to do so.

Witness my hand this 13th, day of June 1923.

W. C. Beebe

Clerk and Register of the Circuit Court,
Baldwin County Alabama.

The State of Alabama,
Baldwin County.

Circuit Court Baldwin
County, In Equity.

To H.G. Anderson, as Guardian of Christina Anderson

Take notice that the undersigned Clerk and Register of our said Circuit Court, will execute the decree of reference in this cause, rendered on the 6th, day of June 1923, at his office in the Court House, on the ^{11th} day of ~~June~~ *July* 1923, at ~~2~~ ^{2³⁰} ' clock ~~PM~~ *PM*, at which time and place you will attend if you choose to do so.

Witness my hand this 13th, day of June 1923.

D. W. McIlwain

Clerk and Register of the Circuit Court,
Baldwin County Alabama.

EX-PARTE
H.G.ANDERSON, AS GAURDIAN OF
MARY CHRISTIANA ANDERSON,
A MINOR.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.
IN EQUITY NO. 332.

In the matter of the application of H.G.Anderson, as Guardian of Mary Christiana Anderson, a minor, to sell lands for reinvestment of the proceeds thereof.

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE TWENTY FIRST JUDICIAL CIRCUIT OF ALABAMA;

Comes D.G.Cook and shows to the Court that the said minor, Mary Christina Anderson is the only child and sole heir at law of Maggie Cook Anderson, deceased, formerly Maggie A.Cook who was the sister of this petitioner; that the said Maggie A.Cook before she was married to H.G. Anderson, borrowed from this petitioner the sum of \$1149.03 and executed to this petitioner a mortgage on certain lands and described in the copy of the mortgage hereto attached and marked "EXHIBIT A" to secure to this petitioner said sum of \$1149.03 and interest thereon. The copy of said mortgage hereto attached is made a part of this petition;

Petitioner avers and states on oath, that the indebtedness secured by said mortgage has not been paid, and the amount secured by said mortgage is due this petitioner together with the interest thereon; that said petitioner has been advised that the said H.G.Anderson, as guardian of said Mary Christiana Anderson has been authorized by a decree of this Court, rendered on the 5th day of May, 1923, to sell the lands described in said mortgage at public outcry, to the highest bidder, for cash, for reinvestment of the proceeds thereof for the use and benefit of the said Mary Christiana Anderson.

Wherefore, your Petitioner prays the Court to take cognizance of this matter and order a reference to be held by the Clerk and Register of this Court to ascertain the amount of the indebtedness due the mortgagee named in said mortgage, that after ascertainment of said indebtedness after the lands shall have been sold by the said guardian, and the proceeds thereof paid to the Register and Clerk of this Court and the sale shall have been confirmed by the Court that the Court make an order and decree authorizing and directing the Clerk and Register of this Court to pay to the said D.G.Cook the amount ascertained to be due him on the mortgage debt herein above inferred to, after first paying costs of Court and a reasonable attorneys fee to be paid to the attorneys of record representing the said H.G.Anderson as guardian as aforesaid, in this cause.

That should the lands sell for an amount in excess of the amount required to pay the Court costs and attorney's fees and not enough to pay the entire indebtedness secured by the mortgage, then in that event, the Clerk and Register of this Court be authorized and directed to pay the balance over to the said D.G.Cook or his legal representatives, upon the cancellation of said mortgage as required by Section 4898 of the Code of Alabama of 1907. Should there be an excess over and above the cost of the Court, attorneys fees and mortgage indebtedness then this petitioner further prays the court to order the excess paid to the guardian of said minor. And petitioner further prays for such other relief as may be just and proper to effectuate a settlement of the indebtedness secured by said mortgage; petitioner prays further that the Clerk and Register of this Court be directed by the Court, to have a copy of this petition served by the Sheriff on H.G.Anderson, as guardian of said minor who resides in Elmore, in Elmore County, Alabama.

D.G.Cook
Petitioner.

State of Alabama,
County of

Before the undersigned, a Notary Public, in and for said County in said State, personally appeared D.G.Cook, who is personally known to me and who being by me first duly sworn, according to law, deposes and says on oath, that the allegation/stated in the foregoing petition are true and that no part of the indebtedness secured by said mortgage has been paid, and that the amount of the indebtedness secured by said mortgage is now due this petitioner.

D.G.Cook

Sworn to and subscribed before me this 18th day of May, 1923, and as the evidence thereof, I hereunto affix my seal of office.

E.W.Berry-Wilcox County.
N.P. COUNTY, ALA

"EXHIBIT A"

The State of Alabama,
Wilcox County.

KNOW ALL MEN BY THESE PRESENTS, That, whereas, the undersigned Maggie A. Cook justly indebted to D.G. Cook in the sum of Eleven Hundred and Forty Nine and 03/100 Dollars due by a promissory note bearing date of Jan. 1st, 1910 and falling due Jan. 1st, 1912 and bearing interest from date and being payable to said D.G. Cook and, whereas, the said Maggie A. Cook is desirous of securing the prompt payment of said note, when same falls due: Now, therefore, in consideration of said indebtedness, and to secure the prompt payment of the same do at maturity, I, the said Maggie A. Cook, has bargained and sold and hereby grant, bargain, sell, and convey, unto the said D.G. Cook the following described Real Estate, situated in Baldwin County and State of Alabama, to-wit: The South Half of the Northeast quarter and the South Half of the Northwest quarter of Section 17, in Township 9 South of Range 4 East of the St. Stephens Meridian, Alabama, containing One Hundred and Sixty Acres, Being the land I obtained a patent for from the Government. Also the following to-wit:

A fractional part of North West $\frac{1}{4}$ of South West $\frac{1}{4}$ of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section #17, containing about Thirty one Acres (31) and a fractional part of the Northeast $\frac{1}{4}$ of the South West Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section #17, containing about Twenty acres (20) and a fractional part of the Northwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$ (NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section #17 containing about twenty nine acres, all in section #17, Township #9 South, Range #4 East, being acres more or less, warranted free from all incumbrance and against any adverse claims.

TO HAVE AND TO HOLD the above granted premises unto the said D.G. Cook his heirs and assigns, forever; and for the purpose of further securing the payments of said note, I do hereby agree to pay all taxes or assessments when imposed legally upon said premises, and should I make default in the payment of the same, the said D.G. Cook may, at his option pay off the same; all amounts so expended by the said D.G. Cook shall become a debt to D.G. Cook additional to the indebtedness hereby specially secured, and shall be covered by this mortgage, and bear interest from date of payment by said D.G. Cook and be due and payable at the maturity of said note.

Upon condition, however, that if said Maggie A. Cook pay said note and reimburse said D.G. Cook for any amount he may have expended as taxes and insurance and interest thereon, then this conveyance is to be null and void; but should default be made in the payment of any sum expended by the said D.G. Cook or should said note, or any part thereof, of the interest thereon, remain unpaid at maturity, or should the interest of said D.G. Cook, or his assigns, in said property become endangered by reason of the enforcement of any prior lien or encumbrance thereon, so as to endanger the debt hereby secured then in any of the said events, the whole of said indebtedness shall at once become due and payable, and this mortgage be subject to foreclosure, as now provided by law in case of past due mortgages, and the said D.G. Cook whose agents or assigns, shall be authorized to take possession of the premises hereby conveyed, and after giving thirty days notice, by publication once a week for three successive weeks, of the time, place, and terms of sale, by publication in some newspaper published in Bay Minette, in said County and State, to sell the same in front of the Court House door of said County, at public outcry, to the highest bidder, for cash, and apply the proceeds of said sale, first, to the expense of advertising, selling, and conveying, including a reasonable attorney's fee; second, to the payment of any amounts that may have been expended, or that may then be necessary to expend, in paying insurance, taxes or all incumbrances, with interest thereon; third, to the payment of said note in full, whether the same shall or shall not have fully matured at the date of said sale; but no interest shall be collected beyond the day of sale; and fourth, the balance if any, to be turned over to the said Maggie A. Cook and I further agree that the said D.G. Cook agents or assigns, may bid at said sale and purchase said property, if the highest bidder therefor; and I further agree to pay a reasonable attorney's fee to said D.G. Cook or his assign for the foreclosure of this mortgage in Chancery, should the same be foreclosed; said fee to be a part of the debt hereby secured.

Witness my hand and seal, this ----day of Aug, 1910.

Witnesses:

R.S. Capell, Sr.
R.E. Cook.

Maggie A. Cook (L.S)

The State of Alabama,
Baldwin County.

I, J.N.Stanford, Judge of Probate in and for said County and State, hereby certify that R.S.Capell, Sr., a subscribing witness to the foregoing conveyance, known to me, appeared before me this day, and being sworn stated that Maggie A.Cook the Grantor, voluntarily executed the same in his presence of the other subscribing witness, on the day the same bears date; that he attested the same in the presence of the grantor and the of the other witness, and that such witness subscribed his name as a witness in presence.

Given under my hand this 15th day of October, 1910.

J.N.Stanford
Judge of Probate.

The State of Alabama,)
Baldwin County) Maggie A Cook to D.G.Cook.
Real Estate Mortgage.

I hereby certify that the within Real Estate mortgage was received in this office for record 26th day of October, 1917 at 8 o'clock A.M., and recorded in Mortgage Record, Vol.26 N.S., page 564 this 29th day of October 1917, and examined.

Jas.M.Voltz,
Judge of Probate.

State of Alabama,
Baldwin County,

I, Jas.M.Voltz, Judge of Probate for said County hereby certify that the following privilege tax has been paid on the within instrument as required by acts 1902 and 1903, viz:- \$1. cts 80.

Jas.M.Voltz,
Judge of Probate.
J.L.Kessler, Clerk.

Filed May 21, 1923.

T.W.Richerson.
Clerk.

RECORDED IN ALABAMA
EXECUTION BY CLERK

Original

Notice & copy of
Petition

Serve Copy on
H. G. Anderson at
30 Martha St
Montgomery
Ala

Filed June 13/20
Montgomery
Register

000

127
127
1524

EXECUTED BY SERVING

2 copy of the within of

H. G. Anderson

6/14/20

R. C. Phelps

Sheriff Montgomery County

R. Phelps

Montgomery County

EX-PARTE
H.G.ANDERSON, AS GUARDIAN OF :
MARY CHRISTINA ANDERSON, : IN THE CIRCUIT COURT OF BALDWIN
A MINOR. : COUNTY, ALABAMA.
: IN EQUITY.

In the matter of the application of H.G.Anderson, as Guardian of Mary Christina Anderson, a minor, to sell lands for re-investment of the proceeds thereof.

This cause being submitted to the Court on this 5th day of May, 1923, to be heard by agreement of attorneys for petitioner and W.C. Beebe, as Guardian ad litem for said Mary Christina Anderson, for a decree authorizing the said H.G.Anderson, as Guardian of the said minor, to sell the lands described in his petition for re-investment of the proceeds, and the answer of the said W.C.Beebe, as Guardian ad litem heretofore appointed by this Court to represent and defend the interest of the said Mary Christina Anderson, having been filed in this court together with the testimony submitted in this cause, and upon the testimony as noted by the Clerk and Register of this court, and the matter having been duly considered and understood by the Court, and the Court being of the opinion that the petitioner is entitled to relief as prayed for in said petition,

Therefore, it is ordered and decreed by the Court that the petitioner is entitled to the relief as prayed for in said petition or bill of complaint; and it appearing to the Court that the said Mary Christina Anderson is the owner of the property described in said petition on file in this Court, that is to say:

Northwest quarter of Northwest quarter of Section seventeen, containing 40 acres, more or less; Fractional Northwest quarter of Southwest quarter of Section seventeen, containing 31 acres, more or less; Fractional Northeast quarter of the Southwest quarter of Section seventeen, containing 20 acres, more or less; and Fractional Northwest quarter of Southeast quarter of Section seventeen, containing 29 acres, more or less, all in Township nine South, Range four East; also South half of Northeast quarter and South half of the Northwest quarter of Section seventeen, in Township nine South, Range four East, containing 160 acres, more or less, and all in Baldwin County, Alabama;

that the Court is satisfied from the evidence that the facts stated in the petition or bill of complaint are true, and that it will be to the interest of the said Mary Christina Anderson to sell the property

for the purpose stated in the petition.

It is further ordered, adjudged and decreed by this Court that the said H.G. Anderson, as Guardian of the said Mary Christina Anderson, sell the above described property in front of the Court House of Baldwin County, Alabama, ^{during the hours of legal sale} at public outcry to the highest bidder for cash, after first giving notice of the time, place and terms of sale, by publication once a week for three successive weeks in a newspaper published in Baldwin County, Alabama; that the said Guardian report the sale made pursuant to this decree to this Court, that the proceeds from said sale be paid to and held by the Clerk and Register of this Court for the further orders of the Court, and that this cause is retained for further orders in pursuance of this decree.

Ordered, adjudged and decreed this ^{5th} day of May, 1923.

John D. Leigh, Judge.

No. 332
EX PARTE
H.G. Anderson, as Guardian
of Mary Christina Ander-
son, a minor.

in Circuit Court, in Equity.

decree for sale of lands.

Filed May 7th/923
J. W. Keenan
Register

RECORDED

Min 1 Page 131

Chas. Hall & Gordon & Edington,
Attorneys.

EX PARTE
H. G. ANDERSON, AS GUARDIAN
OF MARY CHRISTINA ANDERSON,
A MINOR.

PETITION TO SELL LANDS FOR RE-
INVESTMENT.

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

It is hereby agreed by and between Charles Hall and Gordon & Edington, attorneys for the petitioner, and W.C. Beebe as guardian ad litem for the said Mary Christina Anderson, that this cause be submitted to the Court for its decree thereon ^{without} ~~with~~ further notice to any of the parties to this cause.

Chas. Hall & Gordon & Edington

Attorneys for petitioner.

W.C. Beebe

as Guardian ad litem for Mary Christina Anderson, a minor.

No. 332

EX PARTE

H.C. Anderson, as Guardian
of Mary Christina Anderson,
a minor.

In Circuit Court, in Equity.

Agreement to submit.

Filed May 5th 1923.
T. W. Keenan
Register.

Chas. Hall & Gordon & Edington,
Attorneys.

N O T E O F T E S T I M O N Y .

EX PARTE :
H.G.ANDERSON, AS GUARDIAN :
OF MARY CHRISTINA ANDERSON, : IN THE CIRCUIT COURT OF
A MINOR. : BALDWIN COUNTY, ALA. IN EQUITY.

Petitioner requests that the following be noted by the Clerk and Register of this Court, as testimony in this cause.

1. Original petition or bill of complaint.
2. Order appointing W.C.Beebe, as Guardian ad litem for said minor and his consent to act.
3. Answer of W.C.Beebe, as Guardian ad litem for Mary Christina Anderson, minor.
4. Depositions of Walter B.Miller, J.B.Children and R.B.Calloway, Jr., and J.GibbShelby.
5. Agreement of solicitors and guardian ad litem to submit.

Chas. Hall & Gordon Edington

Attorneys for Petitioner.

W.C. Beebe
as Guardian ad litem for Mary Christina
Anderson, a minor.

No. 332

EX Parte
H.G. Anderson, as Guardian of
Mary Christina Anderson,
a minor.

in Circuit Court, in Equity.

Request to
Note ~~of~~ testimony.

*Filed May 31/923
T.M. Pittman
Register*

Chas. Hall & Gordon & Edington,
Attorneys.

THE STATE OF ALABAMA, : IN CIRCUIT COURT OF BALDWIN
: COUNTY, ALABAMA,
BALDWIN COUNTY. : In EQUITY.

TO W.C.BEEBE, ESQ., GREETING:

You will please take notice that in a certain cause pending in our Circuit Court, in Equity, in the County of Baldwin, State of Alabama, wherein H.G.Anderson, as Guardian of Mary Christina Anderson, a minor, has filed a petition in said court, to sell certain lands described therein for re-investment; that interrogatories to Walter B.Miller, J.B.Children and R.B.Calloway, Jr., witnesses for the said petitioner have been filed in my office; which said interrogatories will remain on file as aforesaid for ten days, during which time you may, as guardian ad litem, of said minor, file cross-interrogatories, if you think proper so to do.

Witness my hand, as Register of the Court aforesaid, at my office, this 6th, day of February, 1923.

D.W. Peterson, Register.

*I hereby accept service of the foregoing
noted this Feb 6, 1923*

*W.C. Beebe
Guardian ad litem
for Mary Christina Anderson
a minor*

EX-PARTE
H.G.ANDERSON, as Guardian
of Mary Christina Anderson,
a minor.

Notice to W.C.Beebe, as
Guardian ad litem.

Filed Feb 6th 1923,
T.W. Piccirilli
Register

... certain cases pending in the Court of Probate in the
County of Adams, State of Kansas, wherein H.G. Anderson, as
Guardian of Mary Christina Anderson, a minor, has filed a peti-
tion in said court, to say, certain facts described therein for
revocation of said appointment as guardian. ...
... witness for the said petitioner have
been filed in my office, which said information will remain on
file as records for ten days, during which time you may, as
Guardian ad litem, of said minor, file counter-information, if
desired by you, as registered of the Court aforesaid.

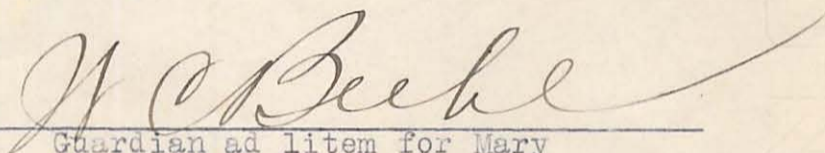
at my office, this 25th day of February, 1923.

[Faint handwritten notes and signatures, possibly including the name "T.W. Piccirilli" and other illegible text.]

H. G. ANDERSON, as guardian, of ()
MARY CHRISTINA ANDERSON, a minor,)
VS ()
MARY CHRISTINA ANDERSON, a minor.)

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

Comes Mary Christina Anderson, respondent, a minor,
under the age of ten years, by her duly appointed guardian ad
litem, and for answer to the original bill of complaint in the
above styled cause, denies all the allegations contained in said
bill and demands strict proof thereof.



Guardian ad litem for Mary
Christina Anderson, a minor.

of this matter, and appoint a day for the hearing of this petition, and appoint a guardian ad litem to represent the ward, and that such other proceedings, orders and decrees may be had and made as may be necessary to effectuate such sale for re-investment of the proceeds upon such terms and conditions and at such place as may be authorized by law. And petitioner prays for such other relief as may be just and proper to effectuate such sale, and so will ever pray, etc.

H. G. Anderson
as Guardian of said minor as aforesaid.

FOOT NOTE:

The said minor, Mary Christina Anderson, acting by and through her Guardian ad litem, is required to answer each paragraph of this petition, but not under oath, said oath being hereby waived.

Charles Hall & Gordon & Edington
Attorneys for Petitioner

THE STATE OF ALABAMA, :
ELMORE COUNTY. :

Before me, L. M. Owsley a

Notary Public, & tax-off. J. P. in and for said County and State, personally appeared H.G. Anderson, who being duly sworn by me, says on oath, that he is the duly appointed Guardian of the said Mary Christina Anderson, a minor, and that the averments set out in the foregoing petition are true.

H. G. Anderson

Sworn to and subscribed before me this 25th day of January, 1922, and as evidence thereof I hereunto affix my seal of office.

L. M. Owsley, n.p. & tax-off. J. P.
Notary Public, Elmore County, Ala.

Charles Hall & Gordon & Edington
Attorneys for Petitioner.

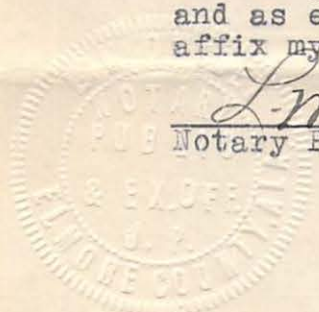


EXHIBIT "A".

THE STATE OF ALABAMA, : Probate Court,
: December 21, 1921.
ELMORE COUNTY. :

BE IT REMEMBERED AND MADE KNOWN TO ALL WHOM IT MAY CONCERN:-

That on the application of H.G.Anderson to my said Court, I have caused these letters of Guardianship to issue in favor of the said H.G.Anderson in and upon the persons, goods and chattels, rights and credits of Mary Christina Anderson, a minor, and, in every case which occasion may require, the said H.G.Anderson is authorized to bring suit and be sued as the lawful Guardian to the said Mary Christina Anderson.

Dated this 21st, day of December 1921.

(Seal)

L.C.Smith, Judge of Probate,
Elmore County.

THE STATE OF ALABAMA, :
ELMORE COUNTY. :

I, L.C.Smith, Judge of Probate of Elmore County, Alabama, do hereby certify that the within and foregoing is a full, true and correct copy of letters of guardianship issued upon the estate of Mary Christina Anderson, a minor to H.G.Anderson by the Probate Court of Elmore County, on the 21st, day of December, 1921, as the same appears of record in said Court.

In witness whereof, I have hereunto set my hand and seal of office on this the 21st, day of December, 1921.

(Seal).

(Signed) L.C.Smith,
Judge of Probate.

NOTE OF TESTIMONY.

EX PARTE

H.G.ANDERSON, as Guardian
of Mary Christina Anderson,
a minor.

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:
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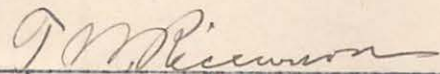
No.332
IN CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, In EQUITY.

In this cause comes the petitioner, H.G.Anderson, as Guardian of Mary Christina Anderson, a minor, by his Attorneys and submits the same for a decree for the sale of the lands described in the petition or original bill of complaint and exhibits thereto, and upon the following testimony, to-wit:

1. Original petition or bill of complaint.
2. Order appointing W.C.Beebe, as Guardian ad litem for said minor and his consent to act.
3. Answer of W.C.Beebe, as Guardian ad litem for said minor.
4. Depositions of walter B.Miller, J.B.Childress, R.B.Calloway, Jr., and J.Gib Shelby.
5. Agreement of Solicitors and Guardian ad litem to submit to the Court.

I hereby certify that the above note of testimony is correct.

This 5th day of May, 1923.



Clerk and Register.

EX PARTE

H.G. Anderson, as Guardian
of Mary Christina Anderson,
a minor.

In Circuit Court, in Equity.

Note of testimony by Clerk
and Register.

Filed May 5th 1923

D. W. Kierman
Register

Chas. Hall & Gordon & Edington,
Attorneys.

ESTATE OF, :
MARY CHRISTINA ANDERSON, : IN CIRCUIT COURT OF BALDWIN
a minor. : COUNTY, In Equity.
:

In the matter of the application of H. G. Anderson,
as Guardian of said minor, to sell lands for re-investment
of the proceeds.

In said proceedings it being made to appear to the
Court that said Mary Christina Anderson is a minor under the
age of ten years and is interested in the result of said
proceedings to sell said lands, and that she should be
represented by a guardian ad litem.

IT IS THEREFORE ordered, adjudged and decreed by the Court
that W. C. Beebe, a practicing attorney and who is learned
in law, be, and he is hereby appointed, guardian ad litem
to represent and defend the interest of the said Mary
Christina Anderson in this cause.

Done this 16th day of
February, 1922.

John D. Leigh

Judge.

I hereby accept the above appointment and deny the allegations
in the bill of Complaint in this cause, *this Feb 17, 1922*

W. C. Beebe
Guardian ad litem *for Mary*
Christina Anderson
a minor

EX-PARTE : IN CIRCUIT COURT OF BALDWIN
H.G.ANDERSON, AS GUARDIAN OF : COUNTY, ALABAMA,
MARY CHRISTINA ANDERSON, A : IN EQUITY.
MINOR. :

DIRECT INTERROGATORIES.

INTERROGATORIES to be propounded to Walter B. Miller, J. B. Childress and R. B. Calloway, Jr., who are material witnesses on behalf of the petitioner, and whose depositions when taken will be offered in evidence on the trial of said cause. Said witnesses reside at or near BonSecour, in Baldwin County, Alabama.

INTERROGATORY 1: To each of the above named witnesses:
Where do you reside? Please state your name, age and post office address. Where have you been living for the last five years?

INTERROGATORY 2: To each of the foregoing named witnesses:
Did you know Margaret Cook Anderson, formerly Margaret Cook? If you say yes, then state what became of her. Did she have any children, if so, how many? If you say yes, then state their names or name, and age, if you know it.

INTERROGATORY 3: To each of the foregoing named witnesses:
Have any of you been upon the following described lands, namely: N.W. $\frac{1}{4}$ of N.W. $\frac{1}{4}$, containing 40 acres, more or less; Fractional N.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$, containing thirty-one acres, more or less; Fractional N.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$, containing 20 acres, more or less; Fractional N.W. $\frac{1}{4}$ of S.E. $\frac{1}{4}$, containing 29 acres, more or less; S $\frac{1}{2}$ of NE $\frac{1}{4}$ and S $\frac{1}{2}$ of N.W. $\frac{1}{4}$, containing 160 acres, more or less, all in Section 17, Township 9 South, Range 4 East, and all in Baldwin County, Alabama. If you say yes, then state when was the first time you went upon and over the lands, and also state when was the last time you went upon and over the land hereinabove described. Also name the distance each of you live from the land, then state its character, whether or not it is hilly, broken, low and swampy and wet and damp.

INTERROGATORY 4: To each of the foregoing named witnesses:
Please name the distance from the land to the nearest railroad, and give the name of the railroad and name of the nearest railroad station to the land.

INTERROGATORY 5: To each of the foregoing named witnesses:
Is there any public highway leading to and from the land involved in this suit, if so, is this public highway worked and kept up by the County of Baldwin, as a public highway so that wagons, motor trucks and other vehicles can pass over said highway loaded with agricultural produce or material of any description?

INTERROGATORY 6: To each of the foregoing named witnesses:
Please state what you know about the water transportation to and from the land in question. If you say the water transportation is good, then state the distance from the landing on the water to the nearest accessible point to the land. Is there or not a public road leading from the landing on the water to the land? If you say yes, then state whether or not there are any branches or streams of water to cross in going to and from the landing to the land. If you say there is a public road leading

from the landing to the land, then state whether or not the road is being kept up in good condition so that it can be traveled by the public generally.

INTERROGATORY 7: To each of the foregoing named witnesses:

Is there a public school building or church building near the land? If you say yes, then state the number of months the school is taught during each year, and the number of children that attend the school, and also the number of teachers who teach each year in said school.

INTERROGATORY 8: To each of the foregoing witnesses:

If you say there is a school house and church near the land, then name the distance from the land to the ~~school~~ school building and from the land to the church building, also whether or not there are any water courses to cross in going from and to the school house and church.

INTERROGATORY 9: To each of the foregoing named witnesses:

Are you or either of you interested in the result of this proceeding?

Charles Lee Jordan & Edington
Attorneys for Petitioner.

Note: ^{W. B. on Secour, also,} The name of B.F. Patterson is suggested as Commissioner and as a suitable person to take the depositions of said witnesses.

Charles Hall Jordan & Edington
Attorneys for Petitioner.

EX-PARTE
H.G.ANDERSON, as Guardian
of Mary Christina Anderson,
a minor.

DIRECT INTERROGATORIES.

Page 3.

Filed Feb 6/923
W. M. Mearns
Register

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the Court in the above entitled cause.

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the Court in the above entitled cause.

[Faint handwritten signatures and text, possibly including names like "W. M. Mearns" and "Register"]

EX-PARTE : CIRCUIT COURT, BALDWIN COUNTY,
H.G.ANDERSON, AS GUARDIAN OF : ALABAMA, IN EQUITY.
MARY CHRISTINA ANDERSON, A MINOR. :

CROSS-INTERROGATORIES propounded by W.C.Beebe, Guardian ad litem for Mary Christina Anderson, a minor, to Walter B.Miller, J.B. Childress and R.B.Calloway, Jr, witnesses for petitioner:

1st. If you say that you know the property described in direct interrogatory three, state what the value of said property is. Give, if you know the value of adjacent lands per acre. State if you know the consideration for recent transfer of lands in the locality of this land. State the value of the lands involved in this suit, exclusive of the improvements, giving the value of the improved or cultivated lands, if any, and the value of wild lands. State whether or not these lands or any part of them are timbered, and if timbered, state the kind, size, age and quantity and value of such timber. State the value of all improvements, listing them separately and giving the value of each.

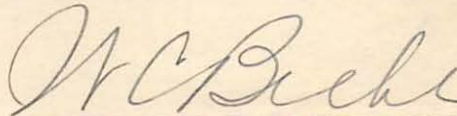
2nd. State the interest of Mary Christina Anderson in such lands, and whence her title or interest is derived.

3rd. State whether or not such property is producing revenue and how much. State whether or not it may be made to produce or increase revenue, and what the probable cost of putting the property in condition to produce revenue or its maximum revenue.

4th. State whether or not you think lands in question will increase in value in the near future, and whether or not this property will increase without additional expenditures on it, and if expenditures will be necessary, what amount of expenditure would be required.

5th: State whether or not the present condition of the property is such that it will or not decrease in value.

6th. State how long you have known these lands and how long you have lived near the lands. State whether or not you are related to the petitioner or to Mary Christina Anderson, and what is the relation. State whether or not you have heard anyone express a desire to buy these lands, and if so, what price they will pay. State any facts that you may have relative to the value of this land. Do you consider a sale of the lands to the best interest of Mary Christina Anderson?



Guardian ad litem for Mary Christina
Anderson, a minor.

EX-PARTE

H.G. Anderson, as Guardian of

Mary Christina Anderson, a
minor.

CROSS-INTERROGATORIES,

*Filed February 6th/1923
T. W. Reardon
Register*

[Faint, mostly illegible text from the reverse side of the page, appearing as bleed-through. Some words like "interrogatories" and "answers" are faintly visible.]

[Faint text at the bottom of the page, possibly a signature or reference.]

The State of Alabama, }
Baldwin County

CIRCUIT COURT.

To Hon. B.F. Patterson,

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 Walter B Miller, J.B. Childress, and R.B. Calloway, Jr.

as witnesses in behalf of Complainant, in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Ex Parte-- E.G. Anderson, as Guardian of Mary Christina Anderson a Minor,

Complainant

&&&&
and

~~Defendant~~

on oath to be by you administered, upon interrogatories Cross Interrogatories, to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 6th day of February, 1923

J. W. Patterson
Register.

Commissioners Fee \$.....

Witness Fee's \$.....

No. 332.

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT.

Ex parte H.G. Anderson
as Guardian of Mary Christina
Anderson a minor.

Complainant.....

vs.

Defendant.....

COMMISSION TO TAKE DEPOSITION
ON INTERROGATORIES.

COMMISSIONER:

Hon. B.F. Patterson

WITNESSES:

Walter B. Miller, J.B. Childress,
and R.B. Calloway, Jr.,

EX-Parte

H.G.Anderson, as Guardian
of Mary Christina Anderson,
a minor.

IN CIRCUIT COURT OF BALDWIN
COUNTY, Alabama,
In Equity.

Depositions of J.B.Childress, Walter B.Miller and R.B.Calloway, Jr., by virtue of the appointment of the undersigned as commissioner to take the depositions on interrogatories filed in this cause in the above stated cause pending in the Circuit Court of Baldwin County, in Equity, I, B.F.Patterson, appointed by the Register of the Circuit Court of said County, have called and caused to come before me J.B. Childress, ~~the witness xxxxxxxx xxxxxxxx interrogatories~~ Walter B.Miller and R.B.Calloway, Jr., and having first sworn the said witnesses to speak the truth, the whole truth and nothing but the truth, the said J.B.Childress deposes and says as follows:

I reside at BonSecour in Baldwin County, Alabama; my name is Joseph B. Childress; I am fifty-three years of age and my Post Office address is BonSecour, Baldwin County, Alabama; I have resided in and around BonSecour all of my life.

To the second interrogatory he says: I knew Margaret Cook Anderson, formerly Margaret Cook, the said Margaret Cook taught school in the neighborhood of BonSecour for several years. Soon after she stopped teaching school she left BonSecour, and I have been told she went up into Wilcox County, Alabama, and soon afterwards married. She lived for a time at Elmore, Alabama. I have been told by Margaret Cook Anderson's sister that Margaret Cook is dead; that she was the wife of H.G.Anderson prior to her death, and that she left one minor child surviving her at the time of her death. I have always understood that she had only one child and at the time of her death the child was very young.

In answer to the third interrogatory he says: I know the land described as NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and Fract. NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and Fract. NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and Fract. NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and S $\frac{1}{2}$ of NE $\frac{1}{4}$ and S $\frac{1}{2}$ of NW $\frac{1}{4}$, all in Section 17, Tp. 9 S.R.4 E., and all in Baldwin County, Alabama, for the last past forty-five years; the first time I went over the land I was a small boy; about four weeks ago I was on and over the lands above described; I live about four miles from the land; about two-thirds of the land in question is very sandy and about one-third is what I call marsh land and is swampy, wet and damp.

In answer to the fourth interrogatory he says: The land is about twelve miles from the nearest railroad, and the nearest railroad station thereto is Foley, Alabama.

In answer to the fifth interrogatory he says: Yes, there is a public highway running across a portion of the land, the said highway is worked and kept up by the County of Baldwin, so that motor trucks and other vehicles can pass over said highway without much trouble.

In answer to the sixth interrogatory he says: There is no water transportation to and from the land; Oak, Alabama, is the nearest landing on water to the land and there is no public road leading from the landing at Oak, to and from the land, however there is a private road leading from Oak landing into the public road and after reaching the public road then you can travel South on the public road to the land. The road can be travelled by the public, there are several streams to cross and these streams are bridged. The land is about four miles from Oak, Ala.

In answer to the seventh interrogatory he says: There is a school house within about half mile of the land, no church building near the land; the school is taught during each year seven months; about fifteen or twenty children attend this school, one teacher only, has charge of the school.

In answer to the eighth interrogatory he says: The answer to this interrogatory was answered by me when I answered the seventh interrogatory, however I will say there is no water course to cross in going from the land to the school building.

In answer to the ninth interrogatory he says: I have no interest in the land and I am not interested in the result of this proceeding, other than to see justice done in the matter.

Joseph B Childress

Joseph B. Childress.

In answer to the first cross interrogatory he says: I know the property described in the first direct interrogatory three; There has been no land in the neighborhood of the land in question sold that I know of, and as most of the land is very sandy, wet and swampy and the only improvements on this land is a very small fish house and a wharf leading out to the fish house, and on account of the location of the land and the inaccessibility of same, it is my judgment that the land is not worth exceeding \$7.50 per acre and I think if \$7.50 per acre can be obtained for the land that, that would be all that it is worth. There is no portion of this land in cultivation nor under fence. The fish house and wharf is of the value of about \$50.00, and probably not more. All the lands in question are wild lands and as I have before stated, I do not think the lands are of a greater value than \$7.50 per acre. Some portions of this land is timbered, there is only about sixty acres of the land that has timber thereon and that is very scattering, I am satisfied there is less than ninety thousand feet of timber on the land, the most of the timber is in the swamp and it is very hard and expensive to get it out, and \$4.00 per thousand feet stumpage would be a big price for same.

In answer to the second cross interrogatory he says: Margaret Cook Anderson had no children when I knew her, I heard that she had a daughter born to her after she left BonSecour, I have never seen the child. It has always been my understanding that she had only one child.

In answer to the third cross interrogatory he says: Said property is not producing any revenue that I know of. It would be very expensive to put the property in a condition to produce revenue. It probably could be made to produce revenue by spending more money on and for the benefit of the land than it is worth at the present time.

In answer to the fourth cross interrogatory he says: I do not think the land will increase in value in the near future, in fact, I know it will not increase in value without additional expenditures thereon. In my opinion three or four thousand dollars would have to be spent on the land before it would increase in value.

In answer to the fifth cross interrogatory he says: I do not think there is any possibility of the land increasing in value within the next five or six years. If another wind storm comes along the property will decrease in value. Nearly all of the timber that formerly stood on the lands has been blown down by wind storms.

In answer to the sixth cross interrogatory he says:
I have known these lands and lived near them all of my life, and as I have been in the timber business for many years last past I have been a close observer of wild lands. I am not related to H.G. Anderson the petitioner, nor to Mary Christina Anderson. I have not heard any one express a desire to buy these lands. I have no facts relative to the value of this land other than the facts I have already stated during this examination. I consider a sale of the land for the best interest of Mary Christina Anderson, the minor herein referred to, because the taxes have to be paid on same from year to year, the wind ~~is~~ blows the timber down from time to time and the timber lays on the ground and rots. There has never been any timber taken off the land for marketable purposes.

Joseph B. Childman

Wlater B.Miller.

Walter B.Miller having been sworn, as a witness in this cause, to speak the truth, the whole truth and nothing but the truth, testifies as follows:

In answer to the first direct interrogatory he says:
My name is Walter B.Miller; my post office address is BonSecour,Ala; I have resided at BonSecour,Alabama, all of my life, and am now residing at said place; I am forty-four years of age.

In answer to the second direct interrogatory he says:
I was not personally acquainted with Margaret Cook, she taught school in the neighborhood of BonSecour for several years, and I was told that she married a man by name of H.G.Anderson; before her marriage to Mr.Anderson she left BonSecour. I do not know of my own knowledge that she had a child, but I have been told by reliable persons that she did have a child after she married Mr.Anderson; I do not know the name of the child, nor its age, however I am satisfied the child is very young, if she had one. From the information I have from my neighbors and the neighbors of said Margaret Cook at the time she lived on her land and taught school she had no children.

In answer to the third direct interrogatory he says:

I know the lands described in the third direct interrogatory which I have read over, and have been on and over a greater portion of same, infact I went over all of it that could be travelled over by a horse as I was horseback when I rode over the land. The greater portion of the land is a sand ridge and most of the timber thereon is small scrub oak trees. There is some pine timber on that portion of the land that lies in the swamp and some pine timber on the sand ridge but very little. It would be very difficult and expensive to get the timber off the land. The first time I went over the land was about seven years ago and I havn'r been over and across the land since. I live about four miles from the land. About one fourth of the land is low, swampy, wet and damp. In my opinion the land is not suitable for agricultural purposes.

In answer to the fourth direct interrogatory he says:
The land is about twelve miles from the nearest railroad and about the same distance to the nearest railroad station.

In answer to the fifth direct interrogatory he says:
I have understood from my neighbors that there is a public road or highway leading to and from the land, and that same is worked and kept up by the county and that loaded trucks and wagons can pass over the same.

In answer to the sixth direct interrogatory he says:
There is no water transportation to and from the land. There is a lagoon that fisherman go up and down with small pulling sciffs and launches. The landing at Oak, on BonSecour River, is the nearest boat landing to the land and that is about four miles from the land. The water transportation up and down BonSecour River up as far as Oak landing is good. There is a road that is used by the public leading from the landing at Oak to the land. There are no water branches or streams to hinder travel over said road. The road is in good condition and can be travelled by the public.

In answer to the seventh direct interrogatory he says:
There is a public school building known as the Lagoon School near the land. The school at that place is taught each year about six or seven months. I have never known of more than one teacher teaching that school. I don't know the number of children that attend this school.

In answer to the eighth direct interrogatory he says:
I don't know the distance from the land to the school house, but from the information I have as to the location of the school house the school house is not over a mile from the land. There are no water courses to cross to get to the school house, there is no church building any where near the land.

In answer to the ninth direct interrogatory he says:
I am not interested in the result of this proceedings.

Walter B. Miller.

Walter B. Miller.

In answer to the first cross interrogatory he says:
I know the property described in the direct interrogatory three; the entire property described in direct interrogatory three is in my opinion of about the value of \$1500.00. From my knowledge of the property I do not think the value thereof is more than \$1500.00. I know of no adjacent lands having been sold near the property in question, for that reason, I do not know the value per acre of adjacent lands, but I have reason to believe that adjacent lands would sell for as much as five or six dollars per acre. I know of no lands having been transferred or deeded in the locality of this land within the last past seven or eight years. There are no improvements on the land of any kind, except one small fish house which is of very little value. The value of the lands involved in this suit is about six dollars per acre. The fish house mentioned by me is of the value of about \$30.00. There is some pine timber and scrub oak trees growing on the land and there are some scattering cypress trees on the land. There are a few very good size pine trees on the land, as to the age of the trees on the land I am unable to say. From the best information I have the value of the timber on the land is about \$400.00 - the only improvements on the land is a fish house of about the value of \$30.00. The value of the land without the timber is about \$1000.00.

In answer to the second cross interrogatory he says:
I do not know the interest of Mary Christina Anderson in said lands, I understand that Mary Christina Anderson is the only child of Margaret Cook Anderson, deceased, and she being the only child derived her interest from the said Margaret Cook Anderson.

In answer to the third cross interrogatory he says:
The property in question is not producing any revenue. The property may be made to produce revenue by spending thereon three or four thousand dollars. I have lived near the property all my life and I have never known of it producing any revenue nor heard of it bringing in any revenue.

In answer to the fourth cross interrogatory he says:
I do not think the land in question will increase in value in the near future, it certainly will not without additional expenditures on it of the amount of about three or four thousand dollars.

In answer to the fifth cross interrogatory he says:

The present condition of the property is such that it will decrease in value, because the timber is from time to time being blown down by the wind storms.

To the sixth cross interrogatory he says:

I have known these lands for thirty years or more and have lived near them for the last past forty-four years. I am not related to the petitioner nor to Mary Christina Anderson. I have not heard any one express a desire to buy these lands. I have been in business around about BonSecour Post Office for the last past twenty years and have bought and sold timber, manufactured timber and kept up with the prices of land and timber in the neighborhood of BonSecour for the last past twenty years.

I consider a sale of the lands would be to the best interest of the said Mary Christina Anderson. The wind storms blow the timber standing on the land down from time to time and the State and County taxes have to be paid thereon, and I know of my own knowledge it is not bringing in any revenue. I have no interest in this matter whatever. I do not want to purchase the land nor the timber, because it would cost me more to transport the timber to market than I would be willing to pay.

Walter B. Miller

R.B.Calloway Jr.

R.B.Calloway Jr.having been sworn,as a witness in this cause,to speak the truth,the whole truth and nothing but the truth,testifies as follows:

In answer to the first direct interrogatory he says:
My name is R.B.Calloway Jr.;my post office address is Bon Secour,Ala;
I have lived at Bon Secour,Alabama,all my life,and am now residing
at said place; I am thirty six years old.

In answer to the second direct interrogatory he says:
I was personally acquainted with Margaret Cook,she taught school
in the neighborhood where I lived at Bon Secour for several terms.
She married a man by name of H.G.Anderson after she left Bon Secour.
She had one child by H.G.Anderson and this one child is all she had
the child's name was Mary Christina Anderson;I do not know the exact
age of this child but she is quite young. After Margaret Cook Anderson
left this country she died the date of which I do not know.

In answer to the third direct interrogatory he says:
I have been over the lands many times;the first time I remember of
going over the land was when I was about ten years old.The last time
I was over these lands was in October 1922; I live one half mile from
the nearest piece of this land; It is not all in one block or piece;
Most of the land is high and sandy and a portion of it lays in the
swamp and is low and wet.

In answer to the fourth direct interrogatory he says:
The land is about twelve miles from the nearest railroad station
and about the same distance from the nearest railroad.

In answer to the fifth direct interrogatory he says:
There is a public road or highway leading to and from said lands
and it is worked and kept up by the county so that wagons and
loaded trucks can travel over it.

In answer to the sixth direct interrogatory he says:
there is no water transportation to and from this land the nearest
landing is four miles the road is good to this landing and all
small streams are bridged and the road is kept in good condition
by the county.

In answer to the seventh direct interrogatory he says:
There is no church but there is a public school building about one
half mile from the land known as the Lagoon School;school is taught
about seven months out of each year and they have about 15 children
at this time requiring only one teacher.

In answer to the eight direct interrogatory he says:
there is no church anywhere near the land;the school building is
about one half mile from the land and there are no streams or water
courses to cross in going to or returning from the school.

In answer to the ninth direct interrogatory he says:
I am not interested in the result of this proceedings.

R.B.Calloway Jr

R.B.Calloway Jr.

In answer to the first cross interrogatory he says:
I would would say the land is worth \$10.00 per acre ; I do not know of any recent transfers of land near this tract of land; ten dollars per acre is exclusive of improvements; the only improvements on the land is a small fish house and wharf worth perhaps \$25.00; None of the land has ever been under cultivation except about one fourth of an acre; one part of the land has some very good pine timber on it; there is also some small spruce trees a few cypress trees and scrub oak and live oak trees on the land; the pine timber will run from twelve to fifteen inches at the butt thirty to forty feet long; I do not know what the timber would be worth.

In answer to the second cross interrogatory he says:
~~XXXXXXXXXXXX~~ Mary Christina Andersons interest in the lands were derived from her mother Margaret Cook Anderson; I do not know what that interest is.

In answer to the third cross interrogatory he says:
I do not know of this land producing any revenue; It may be made to produce a small amount of revenue by having the timber boxed for turpentine purposes I ~~cannot~~ do not know what the cost would be to have the timber boxed.

In answer to the fourth cross interrogatory he says:
I do not think this land will increase in value in the near future;

In answer to the fifth cross interrogatory he says:
The present condition of the property is such that it will in my opinion decrease in value as the storms are continually blowing down the timber.

In answer to the sixth cross interrogatory he says:
I have known the lands ever since I was large enough to know lands and have lived near the lands all my life; I am related to Mary Christina Anderson only by marriage, my wife having been a second cousin to Mary Christina Andersons mother, Margaret Cook Anderson; I have not heard any one express a desire to buy these lands; I believe it would be to the best interests of Mary Christina Anderson for the lands to be sold.

R. B. Calloway Jr

I, B.F.Patterson, as Commissioner appointed by T.W.Richerson Register of the Circuit Court in Equity, to take the testimony of Walter B.Miller, J.B.Childress and R.B.Calloway, Jr., hereby certify that the foregoing testimony, as given by said witnesses, was taken down in writing by me, in the words of said witnesses, and was read over to them by me, that they assented, swore to and subscribed their names in my presence, on this the 12th, day of April, 1923, in my office at BonSecour, Baldwin County, Alabama; that I have personal knowledge of the identity of said witnesses and that I am not of counsel or of kin to any of the parties to said cause, or in any manner interested in the result thereof.

And I enclose the depositions, together with the interrogatories, direct and cross, in an envelope properly endorsed and sealed, and mailed by me to the said T.W.Richerson, Register of the Circuit Court of Baldwin County, in Equity, to BayMinette, Ala.

Given under my hand and seal this 12th, day of April, 1923.

B. F. Patterson Commissioner.

EX PARTE H.G. ANDERSON, :
as guardian of Mary :
Christina Anderson, a :
minor. :

In the Circuit Court of
Baldwin County, Alabama,
In Equity.
No. 332.

To the Hon. John D. Leigh, Judge of the 21st Judicial Circuit of
Alabama.

Comes T.W. Richerson, as Register of the Circuit Court of
said county, and shows unto your Honor, that pursuant to an order
and decree of this court made in the above mentioned cause on the
Fifth day of May, 1923, authorizing the sale of certain lands
belonging to said minor and described in said decree which land
was sold pursuant to said decree on the Thirty-first day of
January, 1924, to George C. Meyer, for the sum of Fifteen hundred
dollars (\$1500.00) and the sale of said lands of said minor was
confirmed by an order of this court made on the Fifteenth day of
March, 1924, and as directed by said decree of confirmation the
undersigned, as Register of this court, executed a deed conveying
to the said George C. Meyer, all ^{of} said minor's interest in and to
the land described in the decree of this court of May the Fifth, 1923;
that the money for which said land was sold is now in the hands of
this petitioner; that on the fifth day of April, 1924, the said
H.G. Anderson, as guardian of said minor filed in this court a
certified copy of Letters of Guardianship issued to him out of the
Probate Court of Elmore County, Alabama, on the Twenty-first day of
December, 1921, which certified copy of Letters of Guardianship is
hereto attached and made a part of this petition.

WHEREFORE, this petitioner, as Register of this court, prays
your Honor to instruct him what disposition to make of the money due
said minor after paying attorneys fees, fee of guardian ad litem and
court costs incurred in this cause, amounting to Two hundred Sixty
Three and 83/100 dollars (\$263.83).

~~xxxx certified copy of said Letters of Guardianship is hereto
attached, marked "Exhibit A" and made a part of this petition.~~

WITNESS my hand this 15th day of April, 1924.

T.W. Richerson Register
Circuit Court of Baldwin County,
Alabama.

The State of Alabama, Elmore County) Probate Court,
December 21, 1921
Be it Remembered and Made Know to all Whom it May Concern:

That on the application of H.G.Anderson to my said Court,
I have caused these Letters of Guardianship to issue in favor
of the said H.G.Anderson in and upon the Persons, Goods and
Chattels, Rights and Credits of Mary Christina Anderson, a minor
and, in every case which occasion may require, the said
H.G.Anderson is authorized to bring suit and to be sued as the
lawful Guardian to the said Mary Christina Anderson.

Dated this 21st day of December 1921.

L.C.Smith, Judge of Probate, Elmore County.
Recorded in Book Letters Testamentary, page 318.

State of Alabama, Elmore County

I, G.H.Howard, Judge of Probate in and for said County and State
hereby certify that the above is a true copy of the Letters
of Guardianship issued to H.G.Anderson and recorded in Letters
Testamentary, page 318 as is shown in my office, and I also
certify that as far as the files in this office show H.G.Anderson
is still the guardian of Mary Christina Anderson, minor.
Given under my hand this 28 day of March, 1924

G.H.Howard
Judge of Probate

334

THE STATE OF ALABAMA,
Baldwin County.

Will Kennedy
vs.
No. _____
Ida Kennedy.

CIRCUIT COURT, IN EQUITY.

To the Hon. John D. Leigh, Judge of the Circuit Court of
Baldwin County, State of Alabama:

THE BILL OF COMPLAINT of Will Kennedy
exhibited in the Baldwin Circuit Court against Ida Kennedy

humbly complaining, your orator shows your Honor as follows:

That your orator and defendant are both over the age of 21 years.
That your orator has been a bona fide resident of Baldwin County,
Alabama, for more than five years next before the filing of the bill
of complaint in this cause. That the residence of defendant is un-
known to your orator, as he has not heard of her for more than five
years, but he believes she is a non-resident of the State of Alabama.
That your orator and defendant were married in Mobile, Alabama, on or
about May 1st., 1909. That during the year 1910, defendant voluntari-
ly abandoned the bed and board of your orator, and has not lived
with him since said separation, but your orator has learned that
she went off with another man. Said separation occurred in Bald-
win County, Alabama, and was caused in no way by your orator.

WHEREFORE, Your said orator prays that a Writ of Subpoena may issue to said
Ida Kennedy commanding her to appear and
answer this Bill of Complaint; that she be made a party
Defendant hereto, and that your Honor will make a decree annulling said marriage, granting your orator a
divorce, and permitting him to again marry, and as in duty bound he will ever pray.

W. H. Hawkins
Solicitors for Complainant.

NOTE.—The Defendant is required, but not under oath, to answer the above Bill.

W. H. Hawkins
Solicitors for Complainant.

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Will Kennedy

Plaintiff.....

vs.

Ida Kennedy

Defendant.....

BILL OF COMPLAINT.

Filed *Mar 3* 19 *22*

W. B. ...
Register.

RECORDED

W. H. ...
Plaintiff's Attorney.

Defendant's Attorney.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 334, May Term, 19 22

Will Kennedy, Complainant
vs. Ida Kennedy, Defendant

In this cause it appears to the Register that the order of publication here-
tofore made in this cause, was published for four consecutive weeks, commencing on the 9th day of
March, 19 22, in the Baldwin Times,
a newspaper published in Bay Minette, Baldwin County, Ala
Alabama, that a copy of said order was posted at the Court
House door in Baldwin County, on the 9th day of
May 19 22, and

And it now further appearing to the Register ~~Ida Kennedy~~, that the said
Ida Kennedy,

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, there-
fore, on motion of Complainant, ordered and decreed by the Register that the
Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said
Ida Kennedy,

This 8th day of May, 19 22.

J. W. Rowson
Register.

No. 334.

Page

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Will Kennedy,

vs.

Ida Kennedy,

DECREE PRO CONFESSO ON
PUBLICATION.

Issued May 8th, 19 22

W. H. Richardson
Register.

Recorded in Record

Vol. Page

Register.

Will Kennedy, Complainant,

vs.

Circuit Court of Baldwin County, in Equity.

Ida Kennedy, Defendant.

Interrogatories to be propounded to Will Kennedy and E. S. Rosecrans, who reside at Fairhope, Alabama, and are material witnesses for complainant in the above entitled cause.

First.

Please state your name and residence. Do you know Will Kennedy and Ida Kennedy, if so how long have you known them? Please state if they are married, and if so, how long they have been married?

Second.

If you know, please state how long Will Kennedy has been a bona fide resident of the State of Alabama, next before the filing of the bill of complaint in this cause? Where ~~was~~ were Will Kennedy and Ida Kennedy living when they were married?

Third.

Please state where defendant, Ida Kennedy resides, and when last heard from. Are Will Kennedy and Ida Kennedy now living together as man and wife? If you say they have separated, please state if this separation was voluntary on the part of Ida Kennedy? Please state fully.

Please state when and where this separation occurred. If you state that the separation occurred in Baldwin County, please state the circumstances fully. Have you stated all you know about this case? If not, please do so here.

W. H. Hawkins

Solicitor for Complainant.

~~xxxxxx~~ Complainant suggests the name of Miss Gladys Howell, who resides at Fairhope, Ala., as a suitable person to take the depositions of the witnesses in this case.

W. H. Hawkins

Solicitor for Complainant.

State of Alabama,

Baldwin County.

Personally appeared before, T. W. Richerson, Clerk of the Circuit Court, W. H. Hawkins, solicitor for complainant in the above entitled cause, who on oath states that Will Kennedy and E. S. Rosecrans of Fairhope, Ala. are material witnesses for complainant.

W. H. Hawkins }