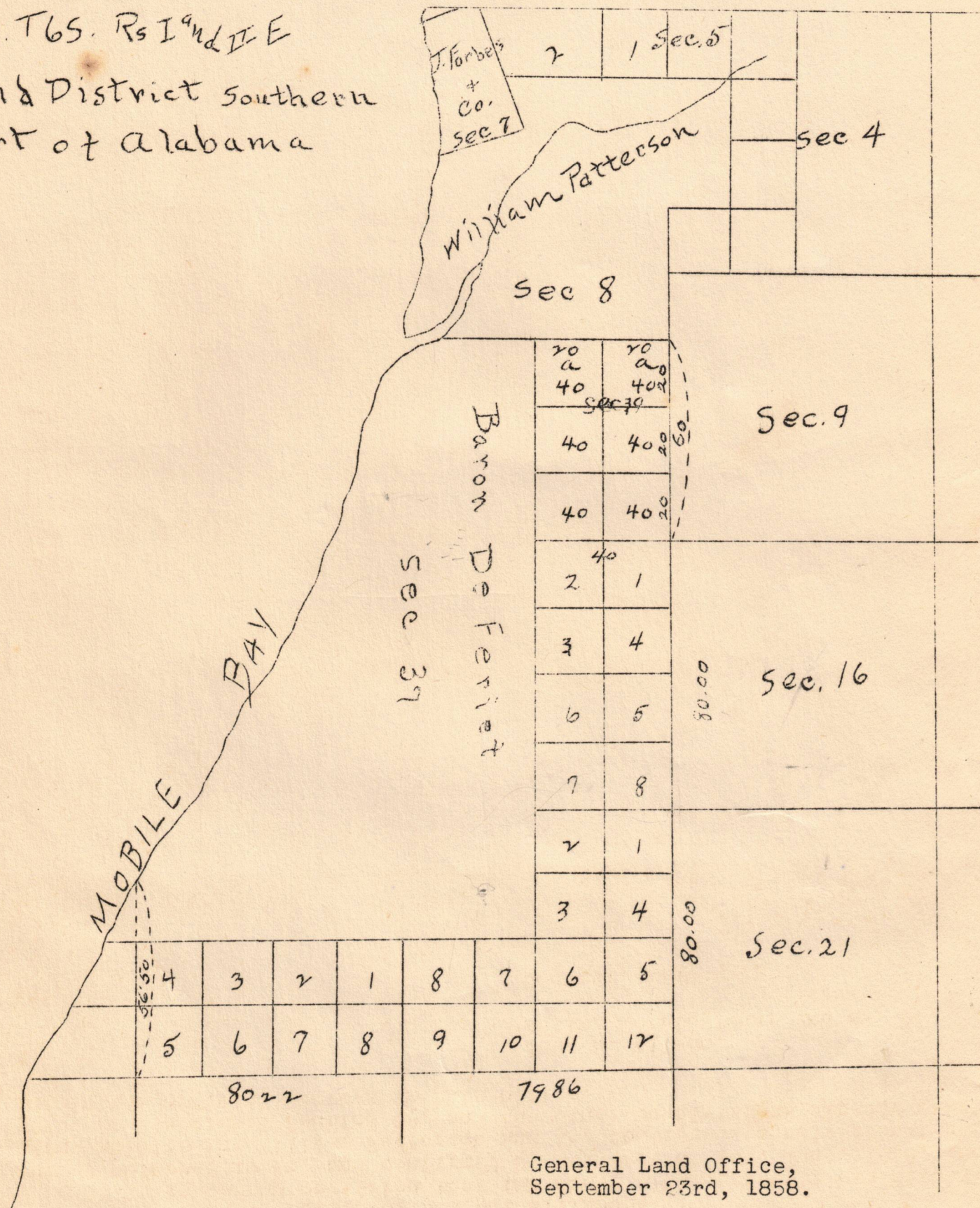


ABSTRACT OF TITLE

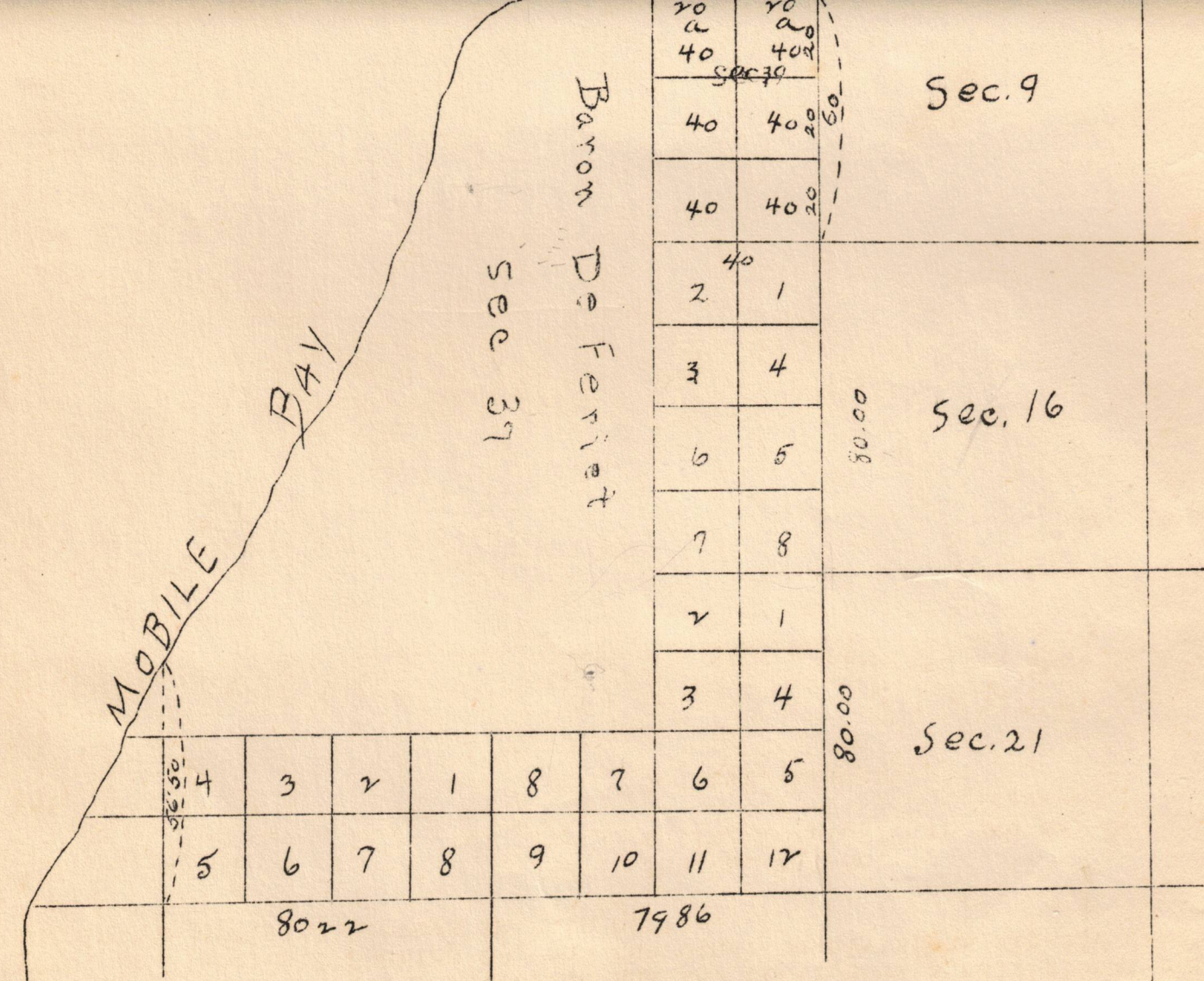
to

Lot 50 ————— Block one (1),
in Fairland Heights, a sub-division to
the Town of Fairhope, Baldwin County,
Alabama as recorded in Map Book No.3
page 16.

L. T65. R5 Ind II E
 nd District Southern
 rt of Alabama



In pursuant to the Act of Congress approved 22 of January 1853,
 Entitled: "An Act to amend an Act, entitled: "An Act for the discontinu-



General Land Office,
September 23rd, 1858.

In pursuant to the Act of Congress approved 22 of January 1853, Entitled: "An Act to amend an Act, entitled: "An Act for the discontinuance of the Office of Surveyor General in the Several districts so soon as surveys therein can be completed for abolishing Land Offices under certain circumstances and for other purposes and of the special Act approved June 1st, 1858." for the relief of Laurent Millaudon.

It is hereby certified that the above plat correctly exhibits the survey referred to in, and confirmed by said Act of 1st, June, 1858, and also exhibits the William Patterson and the contiguous subdivisional surveys, in fractional Section 39, and the other subdivisions already existing in the official surveys in this office.

Jos. S. Wilson,
Acting Commissioner and Ex. Of.
Surveyor
General, Alabama.

District of Columbia, ss

I, Charles R. Pierce, of Washington, D.C., of the firm of Copp, Lockett & Pierce, of the same city, and attorney duly qualified to practise before the Department of the Interior, do hereby certify that by act of June 1st, 1858, 11 Statutes at large 557 provides:

"That Laurent Millaudon be and he is hereby confirmed in his title to two certain tracts of land lying on the East side of Mobile Bay in the State of Alabama, being the two tracts of land known as the DeFeriet's claims, as surveyed in the years of 1830, and approved by the Surveyor General in the year of 1835, with the exception of so much of the North end thereof as has been heretofore surveyed and confirmed to William Patterson and included in what is known as the William Patterson Claim as now located: provided that this act shall only be construed as a relinquishment of any title that the United States may have to said lands; and provided further that this confirmation shall inure to the benefit of any other person, if such there be as may be entitled to any part of said DeFeriet claims under conveyances from him".

I do hereby certify that said relinquishment of said lands, known as the DeFeriet Claims, is on the records of the General Land Office known as Section 37, Township 6 South of Range 1 and 2 East; I further certify that there is on file in the office of the Commissioner of the General Land Office a plat of Fractional Township 6 South, Range 1 and 2 East, showing said Section 37, which plat bears a certificate dated September 23, 1858, and signed by the acting commissioners of the General Land Office as ex officio Surveyor General for Alabama, wherein it is stated that said plat correctly exhibits the surveys referred to and confirmed by the said Act of June 1st, 1858, 11 Statutes at Large, 537.

I further certify that by decisions of the Supreme Court of the United States and of the Secretary of the Interior, there is no necessity of a patent where a grant is made by Congress and the identity of such grant is clear.- 1 L.D., 492, 2 Wheat. 195, 97 U.S., 491.

I further certify that from a consideration of the grant of relinquishment and from the clear designation of the land affected that the title to the land can no longer be considered to be in the United States, but to have passed from the United States absolutely and that the officials of the General Land Office so consider it to have passed from the United States as absolutely as if patent had been issued.

Charles R. Pierce

Subscribed and sworn to before me this 3rd day of August, 1910.

Herbert L. Franc
Notary Public, D. C.

Filed August 12, 1910
Deed Book 16 NS, page 289

Power of Attorney

From Louis DeFeriet to Domonique Salles.

Copy of translation from the French of instrument recorded in Book "B" page 26, Probate Court, Mobile, Alabama, by Jules Eslava, Abstracter, Mobile, Alabama.

"Before Narcisse Brontin, Notary, commissioned and authorized for the City of New Orleans, Second Senatorial District of the State of Louisiana, and in the presence of the hereinafter named subscribing witnesses, appeared Monsier Louis DeFeriet, proprietor, in this city, who by these presence appointed and constituted Monsier Domonique Salles, residing in the territory of Mobile, his attorney, general and special, unto whom he gives power and in his name to claim from the Land Bureau of lands in Mobile, aforesaid, the deeds and papers sent by him and which he had furnished said bureau in order to establish his rights in several pieces of property in Mobile Territory (Territory de la Mobile) and which belonged to him."

"After the restitution of said papers, etc., to said attorney, the latter shall make the best possible disposition of said lands mentioned, - to exchange them for any such lands as he may choose; to enter into possession of and to make such terms as he may elect; to receive the payments and give quit-claims therefor. In default of which payments, he may use all means diligently by prosecution or otherwise before all judges and tribunals, etc., of lands x x x; engaging and binding myself to confirm his acts."

Made and delivered in New Orleans, in office, July 28th, 1817, the 42nd year of the independence of the United States, in presence of Messrs. Jules Davizen and L. Beaulieu, both domiciled in this city, who together with the grantor, signed with us after having been informed of the contents.

Signed thus:

Louis De Feriet
Jules Davizen
Lepattier Beaulieu
Narcisse Brontin, N.P.

I certify that this present copy is a true copy of the original remaining in my office to be referred to in case of need.

In witness whereof, I have set my signature and affixed my official seal, at New Orleans, July 28th, 1817, and the 42nd year of the independence of the United States."

Narcisse Brontin, N. P.

Louis De Feriet,	)	Warranty Deed
by Dominique Salles, Jr.,	)	Dated January 20, 1818
his attorney in fact,	)	Acknowledged January 22, 1818
	)	Before Judge of Quorum, Mobile,
to	)	Alabama
	)	Consideration: \$300.00
Arthur L. Sims	)	Witnesses: One
	)	Filed January 22, 1818
	)	Record Book "A" 1, (Old Book) Page 83-4

Conveys

All that piece or parcel of land situate on the East side of Mobile Bay, and lying in the County of Mobile, commencing North at the Bayou Volanta, and running thence Southerly along the shore of the aforesaid Bay, 87 arpens in front, with the usual depth of 40 arpens, to the Southwestern corner of the old English Plantation, commonly called Wiggs Plantation.

Arthur Lee Sims,	)	Power of Attorney;
	)	November 23rd, 1835;
to	)	Acknowledged same date; before
	)	Clerk of Inferior Court, Clark
	)	County, Georgia;
William Bayard.	)	Witnesses: James Lansom,
	)	Richard Dickens;
	)	Consideration: Not Shown:
	)	Filed for record Not Shown;
	)	Recorded in "D", pages 24-25.

Conveys:

Constitute and appoint General William Bayard of the State and City of New York, my true and lawful attorney for me and in my name for my own proper to sell, dispose of, convey and confirm such portion of the town lots to be laid off at the town of Clifton on Mobile Bay as in his judgment he may think proper to sell, and such conveyances dees to bind me no further than a quit claim title to such lots, etc.

Arthur Lee Sims, by
William Bayard, his
attorney,

to

S. F. Dixon.

) Quit Claim Deed:
(Dated April 28th, 1836;
) Acknowledged same date; before
(N.P. Mobile County, Alabama;
) Witnesses: Edward R. Alcott,
(John L. Callom;
) Consideration: \$1.00;
(Filed for record June 10th, 1836;
) Recorded in Book "D", pages 21-22.

Conveys:

A certain parcel of land lying on the East side of Mobile Bay in Baldwin County, extending from the Rio Volanta about 87 arpens to the Southwest corner of an old English Plantation commonly called the Wiggs Plantation, and including that plantation extending in the rear about 40 arpens, being the same tract which was granted by the Spanish Government to Louis Warren De Ferriet, in the year 1800, and other land.

S. F. Dixon,

to

Laurent Millaudon, Trustee,

(Trust Deed;
(Dated April 28, 1836;
(Acknowledged same date; before
(N. P. Mobile County, Alabama;
(Consideration: \$1.00;
(Witness: Two;
(Filed for record June 10, 1836
(Recorded in Book "D", pages 22-23.

Conveys:

10,000 lots in the projected town of Alabama City, to be taken conformably to the terms of the agreement entered into by the subscribers to the proposal for building said city i.e., alternately, beginning with the first lot in each street; and for the benefit of the subscribers to that agreement, do authorize the Millaudon to convey said lots to purchasers, and if shall be more convenient to the purposes of said city to sell a number of lots or squares in a body, I authorize him to sell the same at his discretion provided the same is done with the acquiescence of William Bayard, the remaining trustee; and I hereby constitute said Laurent Millaudon my attorney to sell and dispose of the same, provided that in the whole not more than 10,000 lots shall be sold. Said lots of land lie on the tract of land conveyed to me by Arthur L. Simms.

S. F. DIXON

to

William Bayard

(Power of attorney
(Dated May 7, 1836
(Witnesses: one
(Book "D", page 26.

Powers Granted:

"To sell and convey land entered in my name on the Bay of Mobile,
to receive the considerations and invest them in land or otherwise,
according to his judgment."

Authur Lee Sims,

to

William Bayard and
Laurent Millaudon,
Trustees.

(Quit Claim Deed:
) Dated April 8th, 1837;
(Acknowledged same date; before
) N. P. Jules Many, N. P. New Orleans,
(Louisiana;
) Witnesses: Albin Michelyn.
(David L. McCoy,
) John Marry;
(Filed for record September 13th, 1837;
) Consideration: Services;
(Recorded in Book "D", page 211-212.

Conveys:

Deed recites that whereas the said Authur Lee Sims being the owner and proprietor of a certain tract of land situated on the east side of the Bay of Mobile and being the same tract of land which was conveyed to the said Authur Lee Sims by Louis DeFerriet, through his attorney in fact, Dominique Salles, Jr., by deed bearing date 20th of January, 1818, and the said Authur Lee Sims being desirous of laying out and establishing a town under the name of Clifton and did on the 23rd day of November 1835 appoint William Bayard of New York his Attorney in fact for the purpose of selling a portion of the lots in the said proposed town, now for better securing the said object the said Authur Lee Sims did through his attorney William Bayard on the 15th day of March, 1836 issue a proposal for a subscription to a joint Stock Company for the purpose of laying out the said town of Clifton, which said proposals are hereto annexed for reference. Whereas the said Laurent Millaudon and William Bayard have been appointed trustees heretofore stated to manage said business of the above mentioned Company etc., now therefore, the said Authur Lee Sims for and in course of the advantages likely to occur to him by establishment of said town does Quit Claim and convey to said trustees 10,000 lots of grant to be taken alternately as stated on the annexed proposals of such dimensions as shall be established and designated by the place of the proposed town, when made hereby obligating to the said trustees full and complete power to sell and dispose of and convey the said 10,000 lots of ground.

Augusta, Dec. 18th, 1836.

General William Bayard,
"President".

I now state to you in writing, that if you will have the new town of Clifton surveyed and laid off according to the plan of Savanna, at your expense, this together with your best exertions to establish Clifton as the Seaport of Alabama, shall entitle you to an equal interest in the whole survey, and all improvements made from the proceeds of lots shall be for one joint account expecting that Honor and good faith will be mutually and reciprocally observed toward each other, etc.

Respectfully,

Authur Lee Sims.

Acknowledged before a Notary Public, Mobile County,
8th day of May, 1837,
Recorded June 18th, 1837,
Book "D", page 197.

William Bayard,
to
John M. Ball.

(Quit Claim Deed;
) Dated April 18th, 1837;
(Acknowledged same date; before
) N.P. Mobile County, Alabama;
(Consideration: \$10,000.00;
) Filed for record April 19th, 1837;
(Recorded in Book "D", pages 126-127.

Conveys:

The following described lot and parcel of land situated in Baldwin County, bounded North by Bayou Volante, West by Bay of Mobile, extending along the Bay of Mobile to the Southwest corner of Wiggs Plantation containing 87 arpens, more or less, in front on the Bay of Mobile, and extending back therefrom 40 arpens, known as the DeFerriet and Laurendine Grant being the same land claimed by the said Bayard under contract entered by him with Authur Lee Sims, on the same page is written the following:

If any document is presented or record which authorises Mr. Millaudon of New Orleans, to compromise in my name or as agent of Authur L. Sims, you must have inserted next to it that the power was cancelled and understood to have been destroyed and it is fraud in attempting to make it avoidable.

William Bayard, Mobile, Alabama

Witnesses: John M. Ball,
April 18th, 1837.

John M. Ball,

to

Robert Bayard.

(Quit Claim Deed;
) Dated August 4th, 1837;
) Acknowledged August 14th, 1837;
) Before N.P. Mobile County, Alabama;
) Witness: William Bayard;
) Consideration: \$10.00;
) Filed for record August 20th, 1838;
) Recorded in Book "D", pages 300-301.

Conveys:

A lot of land bounded North by Bay and Volanta, West by Mobile Bay extending along the Bay of Mobile to the Southwest corner of Wiggs Plantation, containing 80 arpens, more or less, in front on the Bay of Mobile and extending back therefrom 40 arpens known as the DeFerriett and Laurendine Grant being the same land claimed by William Bayard under a contract entered into by him with Arthur L. Sims, and being the one undivided lot of the above described property.

William Bayard

to

Thaddeus Sanford

(Mortgage
) Dated September - -, 1838
(Acknowledged September 22, 1838
) Before N. P. Mobile County, Ala.
(Consideration: \$3,600.00
) Witness: One
(Filed September 23, 1838
) Book "D", pages 302-3

Conveys.

All interest of the said Bayard in and real estate owned by the City Company of Alabama, and all his stock in said company. Provided if said Bayard shall pay said Sanford \$3,600, with interest according to note dated August 21st, 1838, by said Bayard to Sanford, then this deed to be void, otherwise to remain in full force. (No date of maturity shown.)

Laurent Millaudon,
President of Alabama
City Company,

to

Samuel Morgan.

(Power of attorney;
) Dated April 15th, 1840;
(Acknowledged same date; Before
) N. P. Mobile County, Alabama;
(Filed for record April 30th, 1840;
) Recorded in Book "D", page 388.
(
)

Conveys:

By virtue of the following desolutions passed at a meeting of the Directors of the City Company of Alabama, held in ^New Orleans, on the 17th day of February 1840, Samuel Morgan of Alabama City, my true and lawful attorney to execute and sign all deed for the lots that may be sold at Mobile on the 15th and at Montgomery on the 25th inst. Recolved that the President be and he is hereby authorized to have 1000 buildings lots of the city plat sold in the City of Mobile, without reserve on Wednesday 15th day of April next for 1/5 cash and the balance at one, two and three years credit, also to have 1000 lots sold in the City of New Orleans, on Saturday the 9th day of May, the whole to be sold at auction and on the same terms."

"Laurent Millsudon."

Laurent Millaudon, President, (Trust Deed;
of City Company of Alabama,) Dated September 26th, 1840
to) Acknowledged same date; before
Samuel Morgan, in Trust) N. P. New Orleans, Louisiana;
) Witness: William T. Lewis,
Edwin S. Purvus;
) Filed for record October 9, 1840;
) Consideration: \$1.00 and other
(Recorded in Book "E", pages 404-406

Conveys:

Deed recites: that the city Company of Alabama, a corporate body approved by Act of the Legislature thereof on the 23rd day of December, 1836, represented by Laurent Millaudon and duly authorized by the Board of Directors, dated the 19th, day of September, 1840, a certified copy of which is hereto annexed, is justly indebted to Henry D Richardson of the City of New Orleans, executor of the estate of the late William Proven of the State of Louisiana; in the sum of \$20,000, and for which said sum the said President has issued the promissory note of said company dated the 26th day of September 1840, payable 1 year after date, etc.

Now therefore, - - - - the said Laurent Millaudon, President as aforesaid, sells, conveys and confirms, in trust unto Samuel Morgan, the following described property: 9650 lots of ground situated in said City of Alabama, agreeable to the plans and title thereof, the parties agreeing to waive a particular description thereof and relying upon the good faith of said company to point out the same when requested. It is further agreed by and between the said parties, that the said Sam'l Morgan, as trustees, shall sell under the directions of the said Henry D. Richardson, executor as aforesaid, provided the note is not paid at the end of the year.

NOTE: At a meeting of the directors of the city company of Alabama, held on the 19th day of September, 1840 at - - - - - the following resolution was adopted: "Resolved, the President be and he is hereby authorized to sell, mortgage, etc, the property of the company for the purpose of using the money to pay debts, etc, and to secure a loan of not exceeding \$20,000.00, for one year, or longer, etc.

Samuel Morgan, Trustee,

to

Victor Burthe

(Sale of Trustee;
) Dated October 23rd, 1841
) Acknowledged January 12th, 1842
) Before Clk. Cir. Court;
) Baldwin County, Alabama.
) Witnesses: Edwin B. Gale,
) Almyre W. Varnes.
) Filed for record January 12, 1842,
) Consideration: \$3000.00
) Recorded in Book "E", Pages 10-11

Conveys:

Deed Recites: that, Whereas, the City Company of Alabama, a corporate body, by Laurent Millaudon, President of said Company, and duly authorized did by deed of conveyance dated the 26th day of September, 1840, and recorded in Book "E", pages 404-408, sell in trust unto Samuel Morgan, the following townsite: 9550 lots of ground situated in the City of Alabama, for the purpose of securing to Henry D. Richardson, executor of the estate of William Proven, the sum of \$20,000.00, in which amount the said company was indebted to him by their promissory note dated 26th day of September, 1840, and whereas, the said Morgan was authorized to sell said property in case of default in the payment of said note, and default having been made in payment of same, the land was properly advertised under the terms of said deed of trust and sold on the 23rd day of October, 1841, and Victor Burthe became the purchaser of the following described lands: 20 squares of ground numbered from 184 to 203 and each of said squares containing 12 lots of ground, also squares Nos. 206, 210, 212, 213, 214, 300, 309, 310 and 426 each containing 12 lots - 6 lots from No. 1 to 6, inclusive, in square 204, 8 lots numbered from 5 to 12, inclusive, in square 205; 10 lots Nos. 1, 2, 5, 6, 7, 8, 9, 10, 11 and 12 in Square 207, Lots 1 and 2 in Square 208, Lots 1 and 2 in Square 427, making altogether 376 lots. This conveyance is subject to the lots sold prior to 23rd of October, 1841.

Benjamin L. Millaudon and
Marie Lucie Millaudon, his wife,

to

Frederick Hall

(Stat. Warranty Deed:
) Dated March 31st, 1869;
) Acknowledged same date; before
) Commissioner of Deed, New Orleans,
) Louisiana;
) Consideration: \$5,000.00
(Filed for record October 31st, 1870
) Recorded in Book "I", page 470

Conveys:

All his, the said Millaudon's, right, title, and interest, claim, Ownership and demand of whatsoever nature or kind, in and to all and singular, the real estate situate, lying and being in the state of Alabama, in Baldwin County, and belonging and which may belong to the successors of the late Laurent Millaudon and of his late deceased wife Marie Martha Elmer Montreful of whom the said Benjamin Laurent Millaudon is heir for one sixth, duly acknowledged as such and put in possession of said one sixth, by a decree of the honorable the Second District Court of New Orleans, bearing date 5th of March, 1868, rendered in the matter of the successor of said late Mrs. Millaudon, No. 19,959, of the docket of said court and by another decree rendered by the same court on the 19th of November, 1868, in the matter of the successor of said late Laurent Millaudon, No. 32, 095, of the docket of said court.

Name appears in body of deed as "Benjamin L. Millaudon" and is signed as B. L. Millaudon, also body of deed reads Marie Lucie Millaudon, but signature is "Lucie Millaudon."

Frederick Hall and
Angela Odele Hall,
his wife,

to

Armand Pitat

(Stat. Warranty Deed;
) Dated September 17th, 1870;
) Acknowledged same date; before
) Commissioner of Deed, New Orleans,
) Louisiana.
) Consideration: \$350.00
) Witness: Two
) Filed for record October 3rd, 1870
) Recorded in Book "I", pages 471-2.

Conveys:

All and singular, his, the said Hall's, one undivided eighteenth right, title, claim and interest of whatsoever nature or kind which he has or may have, and which he acquired by purchase from Benjamin Laurent Millaudon and wife, by act under private signature, dated 31st of march, 1869 ----- all and singular the real estate situate, lying and being situated in Baldwin County, State of Alabama and belonging and which may belong to the successors of the late Laurent Millaudon and of his late deceased wife, Marie Martha Emlire Montreful.

Armand Pitat and
Rosa Pitat, his wife

to

Frederick Hall

(Warranty Deed
) Dated May 18, 1876
(Acknowledged same date
) Before Commissioner Parish of Orleans,
(La.
) Witnesses: Three
(Consideration: \$300.00
) Filed for record January 30, 1884
(Recorded in Book "N", pages 220-1

Conveys:

All and singular, his, the said Pitat's, undivided one eighteenth right, title, and interest which he acquired by purchase from said Hall by deed dated September 17th, 1870, in all the real estate in Baldwin County, Alabama, belonging or which may belong to said Armand Pitat and wife.

Frederick Hall and
Odile Angele Hall,
his wife

to

Henry Chiapella

(Warranty Deed
) Dated July 7, 1876
) Acknowledged July 10, 1876
) Before Commissioner for Alabama,
) Parish of Orleans, Louisiana;
) Consideration: \$800.00
) Witnesses: Two
) Filed for record October 7, 1881
(Recorded in Book "M", pages 247-8

Conveys:

All the said Hall's undivided one sixth part, it being the whole of said Hall's right, title, interest, claim, ownership or demand of whatsoever kind or nature in and to that certain land in Baldwin County, Alabama, containing 11,000 acres, more or less, lately belonging to the late Laurent Millaudon, to which said lands Benjamin Laurent Millaudon became an heir for a one sixth undivided part, which the present vendor acquired by purchase from said Benjamin L. Millaudon and wife by deed of March 31st, 1869.

Estate of Laurent Millaudon,
by F. J. McCoy, H. Austill,
Hannis Taylor and Stephens
Croom, Commissioners

to

Henry C. Millaudon

(Commissioners Deed
) Dated September 5, 1872
(Acknowledged same date
) Before Judge of Probate
(Baldwin County, Alabama
) Consideration: \$4,719.50
(Filed for record September 14, 1872
) Recorded in Book "J", pages 48-50

Conveys:

"Also the following described lands in Baldwin County, Alabama:
Beginning at the mouth of Rio Volanta, and running thence to the bay
of Mobile to a point (to be ascertained by a survey) from which a
line drawn perpendicular to the Bay will comprehend the superficial
amount of 1,200 feet by forty arpens:

Also 500 lots in Alabama City in said County (and other lands).

PROBATE COURT PROCEEDINGS.

Laurent Millaudon, deceased, { Probate Court,
Estate of, } Baldwin County, Alabama.

Minute Book "C", Pages 357-62:

Petition of the heirs for an order for a sale for
division of lands of the deceased in Baldwin County,
Alabama.

To the Honorable William H. Gasque, Judge of Probate
Court of Baldwin County, Alabama.

The petition of Clement Millaudon, aged 47 years; Benjamin Laurent Millaudon, aged 42 years; Henrietta Millaudon, aged 45 years, and wife of Casimir Gardanne, who is also made a party and joins his wife in this proceedings, Edmund Burthe, aged 22 years; Emanuel Burthe, aged 32 years, F. George Burthe, aged 28 years; Andre Burthe, aged 24 years; Margaret Burthe aged 26 years, and wife of R. O. Burthe, who is also made a party and joins his wife, in this proceeding; Lizzie Millaudon, formerly Lizzie Mills, wife of Henry Millaudon, deceased, of lawful age; Mrs. Adolphe Tomboury, wife of Adolph Tomboury, who is also made a party, and joins his wife in this proceeding:

Against Madeline Millaudon and Genevieve Millaudon, both minors, residing with their tutor or guardian, A. Tomboury, residing in the City of New Orleans, who is also made a party to this proceeding:

Respectfully show unto your Honor that Laurent Millaudon died some years ago, seized in fee simple, or otherwise well entitled to the real estate hereinafter described, and more particularly set forth by metes and bounds.

Your petitioners are the children of Laurent Millaudon, deceased, and their husband, and the heirs, and devisees of the deceased children of Laurant Millaudon, deceased, and the defendants are the heirs and devisees of the one of the deceased children of Laurent Millaudon, deceased, excepting said Tomboury, who is the guardian or tutor according to the laws of Louisiana, and they and your petitioners, as hereinafter set forth in detail, are seized on undivided parts of said lands as tenants in common, viz: - - -

The said Madeline and Genevieve Millaudon, minors, live in the State of Louisiana, in the custody of their step-father, Adolph Tomboury, who is their tutor, according to the laws of Louisiana:

The petitioners reside in the State of Louisiana, and desire a sale of said lands for distribution among your petitioners, who are tenants in common, according to their several rights shown as hereinbefore set forth in detail.

And they show unto your Honor that said real estate cannot be equitably divided or partitioned without a sale of the same; and they also show unto your Honor that it would be to the interest of said minors to sell the same for the purpose of partition and division; and your petitioners allege that said real estate cannot be equitably, fairly and beneficially divided among the owners thereof without a sale, and they further show unto your Honor that the aforesaid minors named in the petition have no guardian in the State of Alabama.

Your petitioners further show that the following is the description of the lands hereinbefore referred to and which is desired to have partitioned or sold under this proceeding:

The following lands patented to Laurent Millaudon in Township Six South of Range Two East, in the District of land, subject to sale at the Stephens Alabama, viz:

- - - Also the following lands conveyed to Laurent Millaudon by deed of A. L. Simms recorded by W. H. Gasque, clerk in Book D, pp 141-142, of the records of conveyances of Baldwin County, viz: a certain tract of land on the Bay of Mobile which is a part of a larger tract described as follows: Beginning at the Mouth of the Rio Volanta and running thence on the Bay to a point to be ascertained by a survey from which a line drawn perpendicular to the Bay shall comprehend the superficial amounts of Twelve Hundred Feet by forty arpens, 2nd. Five hundred lots of ground to be laid off by one lot fronting on the Bluff or edge of the upper part of a new town named Clifton, by the said Simms and commonly known in New Orleans, under the name of Alabama City to be established on the Bay of Mobile and extending back to the depth of the City so as to form the quantity of land contained in said five hundred lots of ground which said lots shall have the dimensions exhibited on the plan of the City which is to be made, which said lots and tract of land are part of a larger portion of land conveyed to the said Arthur L Simms, by Louis de Feriet, through his attorney in fact, Dominique Salles, by deed bearing date 20th day of January, 1818.

Wherefore your petitioners pray that the aforesaid minors, and the said Adolph Tomboury may be made parties to this proceeding according to law and a guardian ad litem appointed to represent the minors, that your Honor will appoint a day for the hearing of this petition and that notice issue to said minors and A. Tomboury of the time and place set for the hearing of this petition as is by law required; that upon such hearing your Honor will decree the said real estate to be sold and make and issue all such orders as may be necessary to effect the sale thereof, and your petitioners as in duty bound will ever pray etc.

Subscribed and sworn to
before me this the twelfth
day of February, 1870."

{ R. Inge Smith,
{ W. H. Gasque,
{ Judge of Probate.

We acknowledge ourselves security for the costs of this proceeding.

Smith & Herndon.

Filed for record February 12th, 1870;
Recorded in Book "C" of Minutes Probate
Court, pages 358-359-360-361-362-363-364-365.

W. H. Gasque, Judge.

PROBATE COURT PROCEEDINGS.

Laurent Millaudon, deceased, (Probate Court,
Estate of) Baldwin County,
 (Alabama.

Minute Book "C", No. 4, pages 367-8; February 12th
1870:

In the matter of the petition of Clement Millaudon,
et al., for the sale of certain real property for
partition and division.

This day came the said Clement Millaudon ---reciting
the heirs, and the petition of the heirs for an order for a sale for
division of lands of the deceased in Baldwin County, Alabama, with the
purpose and reasons thereof - - -

Whereupon it is ordered that the 26th day of March, 1870
be appointed a day for the hearing of said application; and it ap-
pearing that the parties all reside in the State of Louisiana, City
of New Orleans, and that the defendants, Madeline and Genevieve
Millaudon are both minors, and have no guardian in the State of
Alabama, and that all the other parties are of lawful age - - -

It is therefore, ordered that William L. Howard, who is
decreed by the court a fit and proper person, and who is not of kin
to any of the parties, nor in any way interested in this proceeding,
be appointed such guardian ad litem for said Genevieve and Madeline
Millaudon; and that he have notice of this appointment; and that he
have notice of the time and place for the hearing of said application
by citation to be served on him personally at least ten days before
said hearing shall be had; and that notice of the same be given by
publication, to be continued weekly until said day of hearing in the
"Mobile Daily Republican" that being the paper designated according to
law for such publication, there being no paper published in the County
and that being the paper published nearest the court house of this
county, and in an adjoining county, to-wit: Mobile County; and further,
that a newspaper containing such notice with black lines drawn around
the notice, to be sent by mail, postpaid, to each of the parties.

PROBATE COURT PROCEEDINGS.

Laurent Millaudon, deceased, (Probate Court,
Estate of) Baldwin County,
(Alabama.

Minute Book "C", No 4, page 368: March 25th, 1870.

Hearing Petition to sell lands.

None of the parties appearing, it is ordered that this cause be continued until April 9th, next.

PROBATE COURT PROCEEDINGS.

Laurent Millaudon, deceased, (Probate Court,
Estate of) Baldwin County,
(Alabama.

Minute Book "C", No. 4, page 371: April 9th, 1870.

Hearing Petition to Sell Lands.

This cause is continued until May 23rd, 1870.

PROBATE COURT PROCEEDINGS.

Laurent Millaudon, deceased, (Probate Court,
Estate of) Baldwin County,
(Alabama.

Minute Book "C" No. 4, page 378: May 23rd, 1870.

Hearing Petition to Sell Lands.

Hearing of the petition was had for the sale of lands of the estate of Laurent Millaudon for the purpose of division.

Entry recites that the evidence was taken as in Chancery cases; that all the heirs of said Millaudon were in Court and named; that William L. Howard represented the minors, Genevieve and Madeline Millaudon, as guardian ad litem.

It was ordered that all the lands described in the petition be sold for division among the heirs, Frank J. McCoy, Hannis Taylor, Huriosco Austill and Stephens Croom, were appointed commissioners to sell said land.

PROBATE COURT PROCEEDINGS.

Laurent Millaudon, deceased, (Probate Court
Estate of) Baldwin County,
 (Alabama.

Minute Book "C", No. 4, page 390, May 27th, 1870:

Commission to Sell Lands.

Commission was issued to commissioners to sell said land, dated May 27th, 1870, and all said lands was described in the commission.

PROBATE COURT PROCEEDINGS.

Laurent Millaudon, deceased, (Probate Court,
Estate of (Baldwin County,
(Alabama.

Minute Book "C", No. 4, pages 389-93, September 19th, 1870:

Report of Commissioners.

September 19th, 1870, the said Commissioners made a report to said probate court in writing and under oath with the commission issued to them and stated that they sold all the land described in said commission to H. C. Millaudon, the highest and best bidder for the sum of \$4,719.50; that said sale was made and conducted according to law and the decrees of said court.

It was ordered that said sale be in all things approved.

PROBATE COURT PROCEEDINGS.

Laurent Millaudon, deceased, (Probate Court,
Estate of) Baldwin County,
(Alabama.

September 5th, 1807, Probate Court confirmed sale and
ordered deed made.

J. Henrietta Gardanne, nee
Millaudon and C. Gardanne,

to

H. C. Millaudon

(Transfer;
) Dated June 19th, 1875
(Consideration \$600.00
) Witnesses: Two
(Filed for record July 13, 1875
) Recorded in Book "K", page 246.

"In consideration of the sum of \$600.00 in hand paid in presence of the undersigned witnesses, receipt of which is hereby acknowledged and acquittance given, I have and do, by these presents sell, transfer and set over to H. C. Millaudon, my rights, title and claim I have on lands in the State of Alabama.

New Orleans, June 19th, 1875.

J. Henrietta Gardanne, Nee, Millaudon
To authorize my wife,
C. Gardanne."

Witness:
Alfred Bouigny
C. Tomboury

Harry C. Millaudon
and Phillipine, his wife

to

Edmund Burthe

(Warranty Deed:
) Dated December 11, 1872
(Acknowledged same date; before
) Commissioner of Deeds, New Orleans,
(La.
) Witness: Two
(Filed for record December 13, 1872
) Recorded in Book "J", pages 626-7

Conveys.

"Also the following described tract of land in Baldwin County, beginning at the mouth of Rio Volanta and running thence to the bay of Mobile to a point to be ascertained by survey from which a line drawn perpendicular to the bay shall comprehend the superficial amount of 1,200 feet by 40 arpens. Also 500 lots in Alabama City in said County."

William De Forrest Holly,

to

Victor Burthe.

(Quit Claim Deed;
) Dated May 17th, 1837;
(Acknowledged see below;
) Consideration : \$5.00
(Witnesses: H. V. Baxter,
) R. Richardson;
(Filed for record March 5th, 1838;
) Recorded in Book "D", pages 263-4.

Conveys:

"All the right, title and interest which I have or may have in or to the following described lands in the County of Baldwin and the State of Alabama in Township 6 South of Range 2 East, Viz:-

In Section Twenty (20), the East half of the Northwest quarter and the West half of the Northwest quarter.

Deed recites that Marie Antoinette Holly, wife of the said William De Forest Holly, in consideration of \$5.00 hereby releases to Victor Burthe and his heirs all her right of dower in the above described lands.

Acknowledged May 17th, 1837, before Henry Casteton, one of the Judges of the Supreme Court of the State of Louisiana, without stating that the grantor is informed of the contents of the conveyance.



PROBATE COURT PROCEEDINGS.

Victor Burthe, deceased, (Probate Court,
Estate of) Baldwin County Alabama.
 (

Petition to sell lands of Victor Burthe
for distribution among heirs.

Filed for record February 12th, 1870.
Recorded Book "C", pages 366-367.

To the Honorable William H. Gasque, Judge of
the Probate Court of Baldwin County, Alabama.

The petition of Emanuel Burthe aged thirty-two years,
F. George Burthe aged twenty-eight years, Andre Burthe aged twenty-
four years and Marguritte Burthe wife of R. O. Butler who also joins
her as a party to this proceeding, respectfully shows unto your
Honor; that they are, with the exception of the said R. O. Butler,
the children of the late Victor Burthe, deceased, by his wife Estelle
Millandon, deceased.

The said Victor Burthe died intestate seized in fee
simple or otherwise well entitled to the lands hereinafter described
and your petitioners Emanuel, F. George, Andre and Margueritte are
his heirs and as such are respectively seized in fee simple or other-
wise well entitled to the following undivided parts of or interests
in said lands, viz:

Emanuel Burthe and undivided one fourth part of said
lands,
F. George Burthe, and undivided one fourth part of said
lands.
Andre Burthe, and undivided one fourth part of said lands.
Margueritte Burthe, wife of R. O. Butler, an undivided
one fourth part of said lands.

Your petitioners reside in the State of Louisiana, City
of New Orleans, and they desire a sale of said lands for distribution
among your petitioners according to their respective interests there-
in as already set forth in detail and they show unto your Honor that
said lands cannot

be equitably partitioned or divided without a sale thereof and that it is to the interest of all of your partitioners that said lands be sold for the purpose of partition and division and your petitioners allege that said lands cannot be equally, fairly and beneficially divided among the owners thereof, without a sale thereof.

The following is the description of the lands hereinbefore referred to and which it is desired to have sold under this proceeding, viz:

- - - - - Also the following land in the County of Baldwin, State of Alabama, conveyed to Victor Burthe by Wm. DeForrest Holley on 17th May 1837 by deed recorded in Book D, pages 263 and 264 of the records of conveyances of said County, viz, the following lands. In township six south, Range two East, viz:- - -
- - - -in Section twenty, the East half of the Northwest quarter and the West half of the Northwest quarter - - - - -

Wherefore your petitioners pray that your honor will appoint a day for the hearing of this petition and that notice issue to all the parties of the time and place set for the hearing of this petition as is by law required and that upon such hearing your Honor will decree the said lands to be sold and make and issue all such orders as may be necessary to effect the sale thereof and your petitioners as in duty bound will ever pray, etc.

R_____Smith.

Subscribed and sworn to before me this twelfth day of February, A. D. 1870.

W. H. Gasque,
Judge of Probate.

We acknowledge ourselves security for the costs of this proceeding.

Smiths & Herndon.

The State of Alabama)
Baldwin County)

Probate Court of Baldwin County,
February 12th, 1870.

In the matter of the)
petition or application ()
of Emanuel Burthe, Et al,)
for the sale of certain real ()
estate for partition and div-)
ision {

This day came Emanuel Burthe, F. George Burhte, Andre Burthe and Margueritte Burthe and her husband R. O. Butler, who joins her in this proceeding and filed their application in writing and under oath setting forth among other matters, that they reside in the State of Louisiana, City of ^{New} Orleans, and that they are joint owners of certain real estate situated in this county which is more particularly described in said application, that said lands cannot be equitably partitioned or divided without a sale of the same and that it is to the interest of all the parties that said lands be sold for the purpose of partition and division, and praying this court to decree the said property to be sold and to make and issue all such orders as may be necessary to effect the sale thereof for such purpose. Whereupon it is ordered that the twenty-fifth day of March A. D. 1870, be appointed a day for the hearing of said application and that notice of the same be also given by publication to all the parties, it appearing from said application that they all reside out of the State of Alabama. Said publication to be made weekly, until said day of hearing in the Mobile Daily Republican that being the paper designated according to law for such publications, there being no paper published in this county and that being the paper published nearest to the court house of the county and in an adjoining county, to-wit the county of Mobile, and further that a newspaper containing such notice, with black lines drawn around the notice be sent by mail postpaid to each of the parties.

This 12th Feby. 1870.

W. H. Gasque,
Judge of Probate.

Filed Feby. 12th, 1870.

State of Alabama }
Baldwin County }

Probate Court.

To Frank McCoy, Stephen Croom, Huriosco Austill and
Hannis Taylor, Greetings:

Whereas by a decree of the Judge of said Court, rendered
on the 23rd day of May 1870, you were appointed by said Judge com-
missioners to sell the following described real estate, situated in
this County, to-wit: - - - - -

Also the following land in the County of Baldwin, State
of Alabama, conveyed to Victor Burthe, by Wm. DeForest Holly on the
17th May, 1837, by deed recorded in Book D, pages 263 and 264 of the
records of conveyances of said County. The following lands, in Town-
ship six South, Range two East, viz: - - - - - In Section
twenty, the East half of the Northwest quarter, and the West half of
the Northwest quarter- - which property is held and owned jointly
equally and in common by Emanuel Burthe, F. George Burthe, Andre
Burthe and Margueritte Burthe, wife of R. O. Butler, to be divided
between them equally, viz: Emanuel Burthe, one fourth, F. Geroge
Burthe, one fourth, Andre Burthe, one fourth, one fourth and Margurete
Burthe, wife of R. O. Butler, one fourth.

Now, therefore, you are hereby directed in pursuance of
said decree, and the statute in such case made and provided, to sell
the above real property to the highest bidder, for cash, at public
auction, in front of the courthouse of this county, for the purpose
of making an equitable division between the said joint owners, after
first giving at least thirty days notice of the time, place and terms
of sale, together with a description of said property by advertise-
ment to be inserted in the Mobile Daily Republican, that being the
paper designated by law for such advertisements. And you are hereby
further directed to make return to said court, in writing and under
oath, of your proceedings in this behalf within sixty days after
said sale. You are further directed to retain the proceeds of said
sale until such sale shall be duly confirmed, and until the further
order of court.

Witness, William H. Gasque, Judge of said court, at
office this 27th day of May 1870.

W. H. Gasque, Judge.

Probate Record Book C-4, page 39406

State of Alabama }
Baldwin County }

Probate Court.

To the Hon: W. H. Gasque, Judge of Said Court.

The undersigned, the Commissioners, heretofore appointed by your Honor, to sell certain real property, which is particularly set forth and described in the commission, which was issued and addressed to the undersigned by your Honor on the twenty-seventh day of May, 1870 and which commission is hereto annexed and referred to as a part of this report: Respectfully report, and represent unto your Honor, that in pursuance of, and in strict accordance with the directions of said commission, and the statute in such cases made and provided, they did on the 5th day of September, A. D. 1870, at twelve o'clock M. sell at public auction, in front of the Court House of this County, that property described in said commission as "Lots No. 3 and 4 in Alabama City, to Harry Pillans, who was the highest and best bidder for said lots, for the sum of Forty-six dollars: All the rest of said property described in said commission was sold to L. A. Berthe, who was the highest and best bidder for the same, for the sum of One Thousand one hundred and fourteen 83/100 dollars, the respective amounts being the highest amounts bid at said sale, for said respective portions. For a more particular description of said sale the statement of the auctioneer is hereto annexed and referred to as a part of this report: That said sale was in all respects fairly made, conducted and concluded; the said property sold for an amount equal to its value; and that said Pillans and said Berthe, have complied with the terms of said sale by the payment to the undersigned of the whole of said purchase money, in cash, which money being the proceeds of said sale, is held in the hands of the undersigned, as directed by said commission, for the purpose of being distributed among the parties interested, who are named in said commission, according to law and the orders of the court.

And said Commissioners having fully complied with the directions of said commission, beg leave to submit the foregoing, to the judgment and further order of your Honor, as the report of their action in the premises. The undersigned pray that they may have a reasonable allowance made to them for their services in the premises, and that they may be ordered to divide said fund according to law.

Hannis Taylor
H. Austell
F. J. McCoy
Commissioners.

Signed and sworn to by each
of these commissioners this
5th day of Sept. 1870.

W. H. Gasque, Judge of Probate.
Recorded Probate Record Book C-4, pages 396-9.

PROBATE COURT PROCEEDINGS.

Victor Burthe, deceased,
Estate of

{
} Baldwin County, Alabama.
{

Minute Book C-4, page 396: September 19, 1870.

ORDER CONFIRMING SALE.

In the matter of the petition of Emanuell Burthe, F.
George Burthe, Andre Burthe and Marguerette Burthe, wife of R. O.
Burthe, for sale of certain real property for division.

Report of sale having been made and examined, it is
ordered by the court that the same be in all things approved, ratified
and confirmed.

PROBATE COURT PROCEEDINGS.

Victor Burthe, deceased, (Probate Court,
Estate of) Baldwin County,
(Alabama.

Court set March 25th, 1870, as the day for hearing said petition and ordered that notice be given to the parties by publication it appearing from said petition that they resided out of the State of Alabama, said publication to be made weekly until said day of hearing, in the Mobile Daily Republican that being the paper nearest the Court House of Baldwin County, none being published in the County.

Probate Minutes Book C-4, page 356.

Hearing continued to April 9th, 1870, Probate Minutes Book C-4, page 368. Again continued to May 23rd, 1870, Probate Minute Book C-4, page 371.

Probate Minute, Book C-4, pages 382-3.

On May 23rd, the day set for hearing the petition for sale of the lands of the Estate of Victor Burthe, the parties appearing upon hearing the said petition the court was of the opinion that the petition be granted and order sale of the lands described in petition. Frank I. McCoy, Stephen Croom, Henrisco Austill and Hannis Taylor were appointed Commissioners to sell the land. Date of sale was set to June 20th, 1870.

Sale postponed to July 2nd, 1870. lb. page 385.

Sale postponed to Sept. 5th, 1870. lb. page 387.

PROBATE COURT PROCEEDINGS.

Victor Burthe, deceased, (
) Probate Court,
Estate of) Baldwin County,
 (Alabama.

Commissioners appointed to sell land reported that on September 5th, 1870, having fulfilled all the orders as to sale given by the Court in decreeing the said sale, they sold the said land to L. A. Burthe, for the sum of \$1,114.83, this being the highest and best bid. Description same lb. Page 396.

The Court upon noting that the commissioners had followed the direction of the Court in all particulars in making the said sale, approved the sale and ratified it in all particulars.

lb. page 396.

Hairs of Victor Burthe,
deceased, by Commissioners
F. J. McCoy, et al.,

to

L. A. Burthe.

(Commissioner's Deed;
) Dated September 5th, 1872;
(Acknowledged same date; before
) W. H. Gasque, Judge of Probate,
(Baldwin County, Alabama;
) Consideration \$1114.83;
) Filed for record September 14th, 1872;
(Recorded in Book "J", page 51.

Conveys:

- - - - - and the West half of the Northwest quarter of
section 20, Township 6 South of Range 2 East, and other lands in
Baldwin County, Alabama.

Laurent Andre Burthe,

to

Edmund Burthe.

(Warranty Deed;
(Dated December 11th, 1872;
(Acknowledged same date; before
(J. G. Hustis, Commr for Ala, in
(New Orleans, Louisiana;
(Consideration: \$800.00;
(Filed for record December 13th, 1872;
(Recorded in Book "J", page 624.

Conveys:

- - - - - and the Northwest quarter of Section 20, Township
3 South of Range 2 East, containing 160 acres, more or less, in
Baldwin County, Alabama, with other lands.

Mrs. Louise Burthe,
widow of D. F. Edmund Burthe,
acting individually and as
tutrix of her five minor children,
Madeline, Elodie, Gabrielle and
Cecil Burthe, also
Henry Chiappella,

to

Osceola Wilson.

(Warranty Deed:
(Dated October 31st, 1881;
(Acknowledged same date, before
(Commr. for Ala, New Orleans, La;
(Witnesses: Hy E. Ker,
(E. R. Poole;
(Consideration: \$2250.45;
(Filed for record August 28th, 1882;
(Recorded in Book "M", pages 534-
(535.

Conveys:

The following lands in Baldwin County, Alabama:-

The Northwest quarter of Section 20, Township 6 South of
Range 2 East, containing 160 acres, more or less, and other lands in
Baldwin County, Alabama,

Containing 5626.17 acres, more or less, all of which was
acquired by the said late D. F. Edmond Burthe, by a deed of sale from
Henry Clement Millaudon, dated December 11th, 1872, as shown in Book
"J", pages 626-627, of the records of Baldwin County, Alabama.

"And now to these Presents comes and intervenes Henry Chiapella of the
City of New Orleans, and State of Louisiana, and certifies that the
said sale for his undivided one sixth part or interest in the lands
which formerly belonged to the late Laurent Millaudon, and as the
said transferee purchased the one undivided sixth share thereof as
per transfers and sales of the same by Benj. Laurent Millaudon to
Frederick Hall and by the latter to the said Henry Chiapella. "And the
said Henry Chiapella does further declare that he guarantees the said
Osceola Wilson, his heirs and assigns from any eviction, disturbance,
claim or proceeding on the part of the said Mrs. Louise Burthe, in-
dividually or as tutrix of her minor children, and on the part of the
said minors; and will hold the said vendee, his heirs and assigns
harmless in the premises, and will hold himself responsible to him
or for any damaged or injury caused to them by any act proceeding,
claim set up or prosecuted on account of the present sale.

Henry Chiapella,

to

Osceola Wilson.

(Stat. Warranty Deed;
(Dated December 19th, 1883;
(Acknowledged same date; before
(Commissioner of Deed, Parish of
(Orleans, Louisiana;
(Consideration: Premises;
(Witnesses: Chas. T. Soniat,
(J. W. Kohn, Jr;
(Filed for record January 30th, 1884;
(Recorded in Book "N", pages 282-3.

Conveys:

The following described lands lying in the County of Baldwin, State of Alabama, vis:

In Township 6 South of Range 2 East:
The Northwest quarter of Section 20,
containing 160 acres, more or less

Osceole Wilson and
Sallie L. Wilson,

to

John Bowen.

(Warranty Deed;
(Dated November 8th, 1881;
(Acknowledged November 11th, 1881;
(Before N. P. Mobile County, Alabama;
(Consideration: \$2350.00;
(Filed for record August 28th, 1882;
(Recorded in Book "M", pages 545-6.

Conveys:

- - - - -and the Nw $\frac{1}{4}$ of Section 20, all in Township 6 South
of Range 2 East, with other lands in Baldwin County, Alabama.

Note: In the acknowledgment to this instrument, Sallie L. Wilson,
wife of Osceola Wilson, name does not appear.

PROBATE COURT PROCEEDINGS:

John Bowen, deceased, ()
Estate of,) Will Book 6, pages 284-290, inclusive.

By last will and testament dated August 23, 1884, and witnessed by two witnesses and admitted to probate January 7, 1888, John Bowen provided as follows:

1. After the payment of all my just debts and funeral expenses and the expenses of administration, I give and bequeath to my daughter Adelaide J. Torrey, wife of Charles Torrey, of Boston, in the State of Massachusetts" certain personal property.
2. This item gives to Charles Torrey and Charles D. Webb of Boston, certain personal property to be held in trust for John L. Bowen for his life and after his death to his children.
3. This item gives the testator's daughter-in-law, Fidelia, wife of John L. Bowen, a life estate in certain personal property.
4. This item gives to testator's daughter Lucy Francis Bowen the income from certain personal property.
5. This item gives to testator's daughter Sallie Wilson, wife of Osceola Wilson, certain personal property.
6. I nominate and constitute as executors of this my last will and testament my son-in-law, Charles Torrey and Charles D. Webb, both of the City of Boston, State of Massachusetts, and empower them to act without being required to give bond or other security for the faithful discharge of their duties either as executors or trustees, and without being required to account in any court.

The foregoing original bill was amended by codicil dated December 13, 1884, which codicil relates merely to certain personal property and has no bearing upon the real estate.

NOTE: The foregoing will makes no disposition of the real estate and there is no residuary clause in the will. The real estate passed to the heirs at law who were the following, viz; A. Adelaide J. Torrey, wife of Charles J. Torrey. B. Lucy F. Bowen.

PROBATE COURT PROCEEDINGS.

John Bowen, deceased,)
 (Minute Book 29, page 468.
Estate of,)

On January 7, 1888, the Court proceeding to hear the application of Charles Torrey to admit to probate and record the last will and testament and codicil of John Bowen, deceased, and it appearing to the court that he left surviving him no widow, and that John L. Bowen, Adelaide J. Torrey and Lucy Bowen, who are all adult next of kin of said deceased, by writing signed by them, waived further notice of said petition and have consented that the same be heard forthwith; and it appearing that the remaining next of kin of said deceased are minors under the age of fourteen years, each respectively, viz: John Bowen Wilson, Osceola Wilson and Edmund Ganes Wilson, children of Osceola Wilson and Sallie Bowen Wilson, deceased, who was the daughter of John Bowen, deceased.

And it further appearing that the said minors are in the care and custody of their father, the said Osceola Wilson, and reside with said father and that said Osceola Wilson has waived all further notice of the hearing of said petition, and on behalf of said minor children consents that said petition be heard forthwith, and said petitioner now appearing in person and by his attorney Frederick G. Bromberg, Esq., and said minors appearing by their father, the said Osceola Wilson, now present in court, and upon hearing the evidence of the witnesses A. A. Winston and Frederick G. Bromberg, witnesses to said will and the codicil thereto made on December 30, 1884, and upon the further hearing of the evidence of the witnesses Max Demouy and Frederick G. Bromberg to the codicil thereto made on May 27, 1886, it was considered and adjudged by the court that said will and said codicils have each been duly executed by said John Bowen, and published as and for his last will and testament and codicils thereto, and that said John Bowen, was at the time, of sound mind and disposing memory and voluntarily executed the same as his own free will and without fear or undue influence of any kind, and it was ordered, adjudged and decreed that the prayer of the petitioner be granted, and that the instrument, made by said John Bowen be propounded by petitioner, and the codicils thereto, made on respectively the 30th day of September, 1884, and the 27th day of May, 1886, be and the same are admitted to probate and recorded as the last will and testament and codicils thereto of said John Bowen, deceased.

C. John L. Bowen, who subsequently died leaving a widow and three children, viz: John L. Bowen, 2nd, Sarah F. Bowen (who subsequently married Claude S. Grayson) and Lucy F. Bowen 2nd.

D. Sallie Wilson, wife of Osceola Wilson, Sallie Wilson died leaving three sons, viz: John Bowen Wilson, Osceola Wilson, 2nd, and E. Gaines Wilson.

The above information relative to the heirs of John Bowen was obtained from an abstract prepared by Messrs. McMillan and Grayson and is inserted here merely for information.

PROBATE COURT PROCEEDINGS.

John Bowen, deceased,)	
Estate of,	{	Minute Book 29, page 469.
)	

On January 7, 1888, letters testamentary upon the estate of John Bowen were issued to Charles Torrey.

PROBATE COURT PROCEEDINGS.

John Bowen, deceased,

Estate of,

)
(
)

Minute Book 41, page 457.

On May 13, 1905, Adelaide J. Torrey was appointed
as administratrix de bonis non of the estate of John Bowen, deceased.

PROBATE COURT PROCEEDINGS.

John Bowen, deceased,)	
	(	Minute Book 43, page 160.
Estate of,)	

On February 23, 1905, the estate of John Bowen was finally settled, and the administratrix discharged.

Chas. Torrey, as Executor
of the last will of John
Bowen, deceased,

to

Frederick G. Bromberg.

(Power of Attorney;
(Dated February 21st, 1888;
(Acknowledged same date; before
(Chas. Hall Adams, Commr for Alabama,
(Suffolk County, Massachusetts;
(Witnesses: Chas. Hall Adams,
(Arthur P. Cushing;
(Filed for record May 30th, 1890;
(Recorded in Book "Q", pages 214-215.

Conveys:

Appoints Frederick G. Bromberg, of Mobile, Alabama, his lawful attorney
with full power to manage, control, lease, sell or convey the follow-
ing lands in Baldwin County, Alabama, belonging to the estate of John
Bowen, deceased; to-wit:-

- - - - -NW $\frac{1}{4}$, Section 20, Township 6 South
of Range 2 East, Baldwin County, Alabama, and
other lands.

Mrs. Gabrielle Burthe Souchon,
 & Dr. Marion Souchon, her husband,
 Mrs. Sidney Story, and Sidney
 Story, her husband, Miss Elodie
 Burthe, and Louis S. Edmond Burthe,
 of New Orleans, Louisiana,
 to
 George H. Hoyle, of Baldwin
 County, Alabama.

(Quit Claim Deed;
 Dated June 3rd, 1902;
 Acknowledged June 10th, 1902;
 Before N.P. Parish of Orleans,
 Louisiana;
 Witnesses: Henry Chiapella,
 Auguste Tete, Jr;
 Consideration: \$5.00 and other;
 Filed for record June 28th, 1902;
 Recorded in 5 NS, page 260.

Conveys:

All their right, title and interest in and to all that real property
 in the said County of Baldwin and State of Alabama, which was once
 owned by Edmund Burthe, deceased, as shown by the records of said
 County.

The State of Louisiana,)
 Parish of Orleans.) s. s.

Henry Chiapella and Henry Molaison, of the City of New
 Orleans, being duly sworn depose and say that they were well ac-
 quainted with Mrs. Louise Burthe, late wife of D. F. Edmond Burthe,
 deceased, (born Burthe) and she died on March 11th, 1891, leaving as
 her sole children and heirs, Miss Madeline Burthe, Miss Elodie Burthe,
 Miss Gabrielle Burthe, and Louis S. Edmond Burthe, and Miss Cecile
 Burthe, that the said Madeline Burthe is now married to Sidney Story
 and the said Gabrielle Burthe is now married to Dr. Marion Souchon,
 both of whom reside in the City of New Orleans; that Miss Elodie Burthe
 and that Louis S. Edmond Burthe are unmarried and that Miss Cecile
 Burthe died unmarried and intestate on September 13th, 1900, in the
 City of New Orleans, leaving as her sole heirs her four brothers and
 sisters above named

(Signed) Henry Chiapella,
 Henry Molaison.

Sworn to and subscribed before me this 10th day of June, A. D., 1902.
 (Seal). W. J. Formento, Not. Pub.

George H. Hoyle,
Evie D. Hoyle,
his wife,
to
C. E. Nichols.

(Stat. Warranty Deed;
(Dated May 9th, 1905;
(Acknowledged May 23rd, 1905;
(Before N. P. Baldwin County, Alabama;
(Consideration: \$5.00;
(Filed for record March 24th, 1906;
(Recorded 10 NS, pages 169-170.

Conveys:

All that real property in Baldwin County, Alabama, described as follows, to-wit:-

The North-west Quarter of the North-west Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Twenty (20) in Township Six South of Range Two (2) East, containing Forth (40) acres, more or less.

Charles Torrey, executor
of the last will and test-
ament of John Bowen, deceased,

to

Charles E. Nichols,
of Baldwin County, Alabama.

{ Deed; Stat. Warranty,
{ Dated May 7th, 1895;
{ Acknowledged same date; before
{ N. P. Mobile County, Alabama;
{ Consideration \$50.00;
{ Filed for record November 12th, 1895;
{ Recorded Book "U", pages 543-544.

Conveys:

That lot of land in Section Twenty, Township Six (6) South of Range (2) East of the St. Stephens Meridian, more particularly described as the North-west quarter of the Northwest quarter of Section Twenty, Township Six South of Range Two East, containing forty acres, more or less.

Whereas, the said John Bowen, deceased, left a last will and testament, which was duly admitted to probate by the Probate Court of Mobile County, State of Alabama, and is of record therein, and is referred to as part of this deed, and whereas, the party of the first part is named as executor of said last will and testament, and letters have been issued to him as such executor by said Probate Court.

Charles E. Nichols,

to

Della O. Nichols.

(Stat. Warranty Deed;
(Dated December 16th, 1897;
(Acknowledged same date; before
(N. P. Montgomery County, Alabama;
(Consideration: \$10.00;
(Filed for record December 18th, 1897;
(Recorded in book "X", pages 169-170.

Conveys:

- - - - - Also that lot of land in Section 20, Township 6 South
of Range 2 East, more particularly described as the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$
of Section 20, Township 6 South of Range 2 East, containing 40 acres,
more or less, Baldwin County, Alabama.

State of Alabama

Baldwin County

Before me, G. E. Perkins, a Notary Public in and for said state and county, personally came C. A. Darrow who being duly sworn, deposes and says that from his personal knowledge, C. E. Nichols, has ben in undesputable, peaceable possession, of the following described real estate, to-wit: and that he is 80 years old.

The N.W. $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 20, T. 6 S. R. 2 E. containing 40 acres, more or less, I further certify, that the above property has ben under fence for the past 25 years.

C. A. Darrow

Sworn to and subscribed before me on this 30th day of July, 1926.

G. E. Perkins
Notary Public.

Filed: May 24, 1944.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, G. E. Perkins, a Notary Public in and for said State and County, personally came W. H. Davis, who being duly sworn, deposes and says that from his personal knowledge, C. E. Nichols, has been in undisputed, peaceable possession, of the following described real estate, to-wit: and that he is 45 years old
The N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Sec. 20. T, 6 S. R 2 E. containing 40 acres, more or less, I further certify that the above property has been under fence for the past 25 years.

W. H. Davis

Sworn to and subscribed before me, on this the
30th day of July, 1926.

G. E. Perkins

Notary Public.

Filed: May 24, 1944.

Filed: January 7, 1938
Recorded: Record "L" pages 473-4

STATE OF ALABAMA
COUNTY OF BALDWIN

IN THE PROBATE COURT

TO THE HONORABLE G. W. ROBERTSON, JUDGE OF SAID COURT:

Your Petitioner, the First National Bank of Mobile, Alabama, respectfully represents unto your Honor:

1. That on the 1st day of January, 1938, Della O. Nichols departed this life in, at which time she was an inhabitant of, Fairhope, Baldwin County, Alabama, leaving a last will and testament. That said will was attested by Wm. B. Inge and M. F. Goodloe, both of whom reside in the City and County of Mobile, Alabama, and your Petitioner herewith produces unto your Honor and propounds for probate and record in this court the said last will and testament of the said decedent.

2. That at the time of the death of the decedent she was unmarried and left as her sole next of kin her son, Forest Edgar Nichols, who resided at Fairhope, Baldwin County, Alabama, and that the said Forest Edgar Nichols departed this life on the 4th day of January, 1938, owing to whose death the sole next of kin to Della O. Nichols are her two grandchildren, viz.: Alice Adelle Nichols, who was born on January 4, 1922, and is therefore sixteen years of age, and Madelyne Nichols, who was born December 13, 1928, and who is therefore ten years, both of whom reside with their mother, Mrs. George E. Nichols, 1361 St. Stephens Road, Mobile, Alabama.

3. That decedent in said will suggested and made request that the First National Bank of Mobile, Alabama, be appointed as executor of her estate and that letters testamentary issue to the executor without the requirement of bond.

THE PREMISES CONSIDERED, petitioner prays that a day be set for the hearing of this petition and that due notice as required by law be given to the next of kin of said decedent, unless said notice is waived, and that upon the probate of said will, letters testamentary issue to your petitioner as provided in said will, and that such other proceedings, orders and decrees be had and made in the premises as may be requisite and proper to effect the due probate and recording of said will according to law.

FIRST NATIONAL BANK OF MOBILE, ALABAMA

Sworn to and subscribed before BY H. A. Pharr Trust Officer
me this 6th day of January,
1938.

Margaret E. Carey
Notary Public, Mobile, County, Ala.

ORDER APPOINTING DAY TO PROBATE WILL

DELLA O. NICHOLS, DECEASED.

IN THE PROBATE COURT, BALDWIN
COUNTY, ALABAMA
January 7, 1938.

In the matter of the probate of her last Will and Testament.

This day came the First National Bank, of Mobile, Alabama, by its Trust Officer, and filed its petition in writing and under oath, therewith producing and filing in this court, and instrument of writing, purporting to be the last will and testament of said Della O. Nichols, deceased, and praying for such orders, decrees and proceedings as may be proper and requisite, for the due probate and record of said will in this Court: whic said instrument appears to be attested by Wm. B. Inge and M. F. Goodloe, both residing in the City and County of Mobile, State of Alabama, and and who are alleged to have signed the same as subscribing witnesses thereunto. And it appearing to the Court, from said petition, that said applicatn, the First National Bank of Mobile, Alabama, is nominated, requested and appointed executor, without bond; that the sole next of kin, her son Forest Edgar Nichols, departed this life on the 4th day of January, 1938, leaving as the only next of kin, his tow minor daughters, Alice Adelle Nichols and Madelyn Nichols, both of whom reside with their mother, Mrs. Geo. E. Nichols, of Mobile, Mobile County, Alabama.

It is therefore, ordered by the Court, that the 19th day of January, A. D. 1938, be set as a day for hearing testimony in proof of said instrument as such will. That said Wm. B. Inge and M. F. Gooloe, be subpoenaed to be and appear on said day of hearing in and before this Court, to testify and give evidence of and concerning all and any facts touching the question of the validity of said instrument as such will. It appearing to the court that the mother and custodian of said minors, the only heirs and next of kin of said deccased, has on behalf of said minors, waived all notice to her of the probation of said instrument as such will, and consents that said instrument be probated and letters testamentary issued as suggested in said purported will.

It is further ordered by the Court, that Leslie Hall, Esq., who is an attorney at law, practicing in this court, learned in the law, not related by blood or marriage within the fourth degree to the applicant, attorney for said applicant, to the Judge of Clerk of this Court, be and he is appointed guardian ad litme for said minors or to anyone connected with this proceeding. It is further ordered that said Hall have notice of this appointment.

G. W. Robertson
Judge of Probate.

Filed: January 7, 1938

Recorded: Record Minute "L" page 106.

WAIVER OF NOTICE

ESTATE OF
DELLA O. NICHOLS,
DECEASED.

)
) IN THE PROBATE COURT OF
)
) BALDWIN COUNTY, ALABAMA.
)

I, the undersigned, the mother of Alice Adelle Nichols and Madelyne Nichols, the grandchildren of the late Della O. Nichols, do hereby acknowledge having had read over to me a copy of the will of Della O. Nichols and notice given to me of the application to probate said will, and I do hereby in behalf of my two children above named, both of whom live with me, waive any other or further notice to me of the probation of the will of Della O. Nichols, and consent that said will be probated and letters testamentary issued as requested in will.

IN WITNESS WHEREOF I hereto set my hand on this the 5th day of January, 1938.

Mrs. George E. Nichols.

Sworn to and subscribed before me
on this the 5th day of January, 1938.

C. M. Dudley
Notary Public, Mobile County, Ala.

Filed: January 7, 1938
Recorded:

APPOINTMENT AND ACCEPTANCE OF GUARDIAN AD LITEM

THE STATE OF ALABAMA

DECEMBER TERM 1937

BALDWIN COUNTY

To Leslie Hall

BM

Take notice that by an order of this Court this day made and entered, you were appointed to act as guardian ad litem for Alice Adelle Nichols and Madelyne Nichols minor heirs of Della O. Nichols, deceased, to represent and protect their interests upon the application of First National Bank of Mobile, Alabama to Probate will of Della O. Nichols, to be heard January 19, 1938.

Given under my hand, this 7 day of January, A. D. 1938.

G. W. Robertson, Judge of Probate

I hereby accept the appointment of guardian ad litem for Alice Adelle Nichols and Madelyne Nichols, minor heirs of Della O. Nichols, deceased, to represent and protect their interests upon the hearing of the above named proceedings and hereby deny each and every allegation contained in said proceedings and demand proof thereof.

Witness my hand, this 7th day of January, 1938.

Leslie B. Hall.

Guardian ad Litem.

Filed: January 7, 1938

Recorded: Record "L" at page 474.

ORDER ADMITTING WILL TO PROBATE AND RECORD

DELLA O. NICHOLS, DECEASED. } IN THE PROBATE COURT, BALDWIN
 } COUNTY, ALABAMA, January 19, 1938

In the matter of the probate of her last Will and Testament.

This day having been regularly appointed for hearing the application of the First National Bank of Mobile, Alabama, which was heretofore filed in this Court, for the probate of an instrument of writing purporting to be the last Will and Testament of said deceased, now comes to the said applicant by its attorney, and also comes Leslie Hall, who was heretofore duly appointed by the order of this Court, and who now consents to act as guardian ad litem, for Alice Adelle Nichols, and Madelyne Nichols, minors, concerned in this proceeding, said Hall being an attorney at law practicing in this Court, not related by blood or marriage to the fourth degree, to the applicant, to its attorney, to the Judge or clerk of this Court, or to anyone concerned in this proceeding, and it appearing to the satisfaction of the Court, that Mrs. George E. Nichols the mother of said minors having read over a copy of said instrument purporting to be the last Will and Testament of said deceased, has in behalf of her two children, Alice Adelle Nichols and Madelyn Nichols, both of whom live with her, has waived any further notice to her for the probate of said instrument, and consent that the same be probated and admitted to record; now on motion of attorney for said applicant, the Court proceeds to hear said application. And it appearing to the satisfaction of the Court, from the testimony of Wm. B. Inge and M. F. Goodloe, that they respectively signed the said instrument of writing, purporting to be the last Will and Testament of said decedent, which writing is now shown to them, on the day of the date thereof, in the presence of said testatrix, and at her request, as subscribing witnesses to the same, the said testatrix, then declaring, in their presence, that said instrument constituted her last Will, and it being also shown, by proof, which is satisfactory to the Court, that said testatrix was of the full age of twenty-one years and upwards, at the time of making said will; and that she was of sound mind, and fully capable of making her said Will, it seems to the Court, that said application should be granted:

It is therefore ordered, adjudged and decreed by the Court, that said Will of said Della O. Nichols, deceased, be received, and the same is hereby declared to be duly proven as the last Will and Testament of said decedent, and as such, admitted to probate and ordered to be recorded, together with the proof thereof, and all other papers on file relating to this proceeding.

G. W. Robertson

Filed: January 19, 1938

Judge of Probate.

Recorded: Record Minute "L", page 112.

WILL

I, DELLA, O. NICHOLS, a resident of Fairhope, Baldwin County, Alabama, do make and declare this to be my last will and testament, hereby expressly revoking all other wills made by me.

ONE

I wish all my debts paid as soon after my death as is practicable.

TWO

I give to my granddaughter, Alice Adelle Nichols, my set of Haviland china to be given to her at the time of my death.

THREE

I give and bequeath to my two grandchildren, Alice Adelle Nichols and Madelyne Nichols, my two diamond rings to be delivered to them at the time of my death. They are to select by lot which one of the rings each will take.

FOUR

I give, devise and bequeath to the First National Bank of Mobile, Alabama, Six Thousand and 00/100 Dollars (\$6,000.00) face value in bonds, said bonds to be selected by the Trustee, and the lot and residence which I own in Montgomery, Alabama, to be by it held in trust for the following use and purpose.

(a) This trust is for the joint use and benefit of my two grandchildren, Aleice Adelle Nichols and Madelyne Nichols. If either should die leaving children, her share shall go to her children. If either should die without children, the share she would have taken shall go to the other sister and if she be dead to her children. Should I have additional grandchildren before the termination of this trust they or their children shall share in like manner as the two grandchildren herein named.

(b) This trust shall continue until my youngest grandchild shall reach twenty-one years of age, at which time it is to terminate and the trust fund then on hand be distributed as provided in (a) herein.

(c) The primary purpose of this trust is to assist in providing for the support, maintenance and education of my grandchildren and if part or all of the principal is necessary to that end it may be so used.

(d) The Trustee is to handle and kepp invested the property of this trust in the best manner consistent with safety in making investments.

(e) The trustee is given full power and authority to buy, sell and convey property which is the subject of this trust without order of court, the trustee to have always due regard for the soundness and safety of the investment.

FIVE

After the payment of my debts and after the distribution of the property mentioned in Sections TWO, THREE AND FOUR hereof, I give, devise and bequeath all the rest and residue of my property of every kind and description and wherever situated to the First National Bank of Mobile, Alabama, to be by it held in trust for the following use and purpose:

(a) This trust is for the use and benefit of my son, FOREST EDGAR NICHOLS, for the term of his life and at his death for the use and benefit of his children in equal parts and if any of his children die leaving children they shall inherit the parent's part.

(b) This trust shall continue during the life time of my said son, FOREST EDGAR NICHOLS, and at his death shall terminate and the property of the trust be distributed equally among his children, share and share alike, child or children of a deceased child to take the parent's part share and share alike. The children or grandchildren of my said son taking under this Section who are over twenty-one years of age at the time of the death of my said son shall receive their part and the share of those under twenty-one years of age shall be by the trustee held in trust until they shall become of age, at which time distribution is to be made and the trustee in the meantime shall use and pay such portion of the principal or income as will be necessary for the support, maintenance, and education of the child or children whose share is held in trust.

(c) The trustee is to maintain the property of the trust to the best advantage consistent with safety and pay income monthly to my said son, FOREST EDGAR NICHOLS, as long as he lives. If for his support and maintenance or general welfare it be necessary or proper to pay my said son from the principal, the trustee may do so, if in the judgment of the President and Trust officer of the First National Bank, expressed in writing, it should be done.

(d) The trustee is given full power and authority over the trust estate with the right to buy, sell and convey any part without order of Court using always the best endeavors to have all investments safe and sound, I wish the trustee to advise and consult with my said son, FOREST EDGAR NICHOLS, in the matter of all investments and changes in investments.

(e) I direct the trustee to render to my son, FOREST EDGAR NICHOLS, a statement of account of the trust in his favor once every twelve months or sooner if my said son may request it.

SIX

I hereby nominate and request the appointment of the First National Bank of Mobile, Alabama, as executor of my estate and I request that letters testamentary be issued to it without the requirement of bond. I hereby vest and give to my said executor full power and authority to sell and convey any property of my estate without order of court. I hereby relieve my executor from filing inventory in court or making final settlement of my estate in court unless the executor desires to do so. It is my wish, however, and I direct that the executor make inventory of the property of my estate as soon after my death as is practicable and give to my said son, FOREST EDGAR NICHOLS, a copy of it.

IN WITNESS WHEREOF I hereto set my hand on this the 22nd day of May, 1937.

Mrs. Della O. Nichols. (SEAL)

Signed and declared by Della O. Nichols to be her last will and testament in our presence and, we, in her presence and in the presence of each other, have signed our names as witnesses on the day of date of said will.

H. B. Inge

M. F. Goodloe

SEAL
STATE OF ALABAMA
BALDWIN COUNTY

I, G. W. Robertson, Judge of the Court of Probate, in and for said county and State, do hereby certify, that the within instrument of writing has this day, in said court and before me, as the Judge thereof, been duly proven, by the proper testimony to be the genuine last will and testament of Della O. Nichols, Deceased; and that said will together with said proof thereof have been recorded in my office, in Book of Wills D. at pages 176 and 177.

In Witness of all which, I have hereto set my hand, and the seal of the said Court, this 19th day of January, A. D., 1938.

G. W. Robertson
Judge of Probate.

Seal
Filed: January 7, 1938
Recorded:

LETTERS TESTAMENTARY

THE STATE OF ALABAMA

PROBATE COURT

BALDWIN COUNTY

THE WILL OF Della O. Nichols, having been duly admitted to record in said county, letters testamentary are hereby granted to First National Bank of Mobile, Alabama, the executor named in said will, who has complied with the requisitions of the law, and is authorized to take upon itself the execution of such will.

Witness my hand, and dated this 19th day of January,
A. D. 1938.

Judge of Probate

REPORT FOR FINAL SETTLEMENT

In The Matter of the
Estate of
DELLA O. NICHOLS,
DECEASED.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

Comes the First National Bank of Mobile, Alabama, as
Executor of the Last Will and Testament of Della O. Nichols, de-
ceased, and reports to the Court as follows:

1. That the First National Bank of Mobile, Alabama, was
nominated and appointed by the Last Will and Testament of said de-
cedent as Executor thereof, and as such did qualify in the Pro-
bate Court of Baldwin County, Alabama, as appears from the min-
utes of said Court, and did duly enter upon the discharge of its
duties.

2. That as directed by the provisions of said will the
Executor paid out from monies on hand belonging to said estate
and accruing from the sale of property and from rents belonging
to said estate, all the debts owing by said decedent at the time
of her death, except the claim of Dr. G. C. Goddard, which was
refused on account of not being a proper claim against the estate,
notice of refusal having been given by letter to claimant dated
October 10, 1938, under Section 8970 of the Code of Alabama of
1923; and the Executor has paid out the sums property disbursed
by it in the course of administration, including costs and ad-
ministration expenses, all of which will more particularly appear
from the account and vouchers accompanying this report, the
vouchers being numbered 1 to 190, inclusive;

3. That under the terms of said will the Executor was ex-
pressly exempted from filing inventory in Court and from making
final settlement, but the Executor desires to make final settle-
ment and is filing this report for that purpose, which said re-
port shows the following: Statement of the Estate as of October
15, 1940, showing the value of the Estate as being \$23,436.88
(value of the real estate estimated) ; Receipts, Principal Cash
Income Cash, Rents, totaling \$10,715.66; Disbursements, Princi-
pal Cash, Income Cash, Rental Account, totaling \$9,546.57; also
filing vouchers supporting each disbursement.

4. That the executor made diligent inquiry to find the Haviland china mentioned in Section Two of said will, but was never able to find it, hence it did not receive or deliver it to the named beneficiaries.

5. That the executor was not able to find or get possession of the diamond rings mentioned in Clause Three of said will, hence did not deliver them to the named beneficiaries.

6. That the executor was not able to find any bonds of the estate from which to make selection for the trusts created under Clause Four of said will, but it did find six (6) Participating Certificates of the National Bond holders Corporation, which have been paid, amounting in the aggregate to \$820.00, shown in account filed herewith under the head of "Receipts, Principal Cash." The executor took possession of the Montgomery property, and in its accounts has accounted for the rents and price received for the sale of said property, The proceeds from the Participating Certificates and sale of the Montgomery property were needed to meet administration expenses, etc. The Montgomery property was the only property of the estate that was salable at anything near a fair price, and, it being in a run down condition, and needing repairs, it was deemed to the best interests of the estate to sell this property.

7. That Della O. Nichols died on the 1st day of January, 1938, and her son, Forest Edgar Nichols, died on the 4th day of January, 1938. This being so, the beneficiaries under the trusts created in Sections Four and Five of the said will are the same, viz., Alice Adele Nichols and Madelyn Nichols. On this account it does not appear necessary to open two trusts, but to the best interests of the beneficiaries that only one trust estate be opened which will be done; And the First National Bank of Mobile, Alabama, has received the assets of the estate as of October 15, 1940, as shown by statement of the estate of Della O. Nichols as of that date, as trustee under the will of Della O. Nichols, deceased, for the benefit of Alice Adele Nichols and Madelyn Nichols, as provided in said will, after paying therefrom the costs incurred in connection with the final settlement.

8. That the undersigned executor has made diligent search and has found no other property belonging to said estate, nor was there any residue left in its hands after paying the said debts, legacies, costs, and expenses of administration, the cost of final settlement to be paid by the trustee.

9. That the executor has not used any part of the funds of said estate for its individual purposes. And now the undersigned executor of the estate of Della O. Nichols, deceased, having carried out all the provisions of the said will and testament, and

having paid all debts and expenses of administration, including the amount lawfully due it as compensation for administering upon said estate, except the costs of final settlement, and having in all respects fully executed the duties imposed upon it, the executor prays that the Court will set a day for the final settlement of said estate, at which time the accounts herein filed will be audited and a decree entered, forever discharging it from any and all further liability on account of said administration.

First National Bank of Mobile,
Alabama, as Executor.

By H. A. Pharr
Vice President and Trust Officer.

Sworn to and subscribed before
me on this the 21st day of October, 1940.
Margaret E. Carey
Notary Public, Mobile, County, Alabama.

Wm. B. & C. C. Inge and M. F. Goodloe,
Attorneys for Executor.

Filed: October 25, 1940
Recorded: Record "M" at pages 250-1.

ORDER SETTING DAY FOR FINAL SETTLEMENT

ESTATE OF DELLA O. NICHOLS,
DECEASED.

IN THE PROBATE COURT OF BALDWIN
COUNTY, ALABAMA.
OCTOBER 25, 1940

AS TO FINAL SETTLEMENT BY EXECUTOR

This day came First National Bank of Mobile, Alabama, as the Executor of the Last Will and Testament of Della O. Nichols, Deceased, and filed its statements, accounts, vouchers and evidences for a final settlement of its said administration, and said accounts having been examined by the Court, and found apparently correct, and being now reported for such settlement, it is ordered, that the matter of said settlement be set for a hearing on the 26th day of November, A. D. 1940, and that notice of the time and nature of such settlement, be given by publication in the Fairhope Courier, a newspaper regularly published at Fairhope, Baldwin County, Alabama.

It is further ordered that J. B. Blackburn, Esq., be and he is hereby appointee Guardian ad Litem to represent Alice Adelle Nichols and Madelyn Nichols, Minors, and to protect their interests in such settlement, they being all the minors interested in such settlement. It is further ordered, that said J. B. Blackburn have notice of said appointment.

G. W. Robertson
Judge of Probate.

Filed: 10/25/40

Recorded: Minute "L"
page 437.

THE STATE OF ALABAMA
COUNTY OF BALDWIN

)
)
)
PROBATE COURT.

ESTATE OF DELLA OSWALT NICHOLS, DECEASED.

TO ANY SHERIFF OF SAID STATE, GREETING:

You are hereby commanded to notify, Miss Alice Adele Fridge, a minor residing with Mrs. George E. Nichols, at 1361 St. Stephens Road, Mobile, Alabama, that Jamina McCalla Nichols Administrator Ad Colligendum of the Estate of said Della Oswalt Nichols, Deceased, has filed in this Court her statements, accounts, vouchers, evidences and statements for a final settlement of her said administration, and the 28th day of February, A. D. 1938, having been appointed by the Court for examining auditing and stating the same, notice is hereby given that all persons interested may appear at my office in Bay Minette, Alabama, on said day and contest said settlement should they think proper to do so.

Herein fail not and have you then and there this writ with your proper endorsement thereon.

Witness my hand at office this the 31st day of January, A. D., 1938.

G. W. Robertson,
Judge of Probate

APPOINTMENT AND ACCEPTANCE OF GUARDIAN AD LITEM

The State of Alabama
Baldwin County

To J. B. Blackburn

Take notice, that by an order of this court, this day made and entered, you were appointed to act as guardian ad litem for Alice Adelle Nichols and Madelyn Nichols, monor heirs of Della O. Nichols, deceased, to represent and protect their intersts upon the application of the First National Bank of Mobile, Alabama, executors of the last quill and Testament of Della O. Nichols, Deceased, for a final settlement, Settlement set for November 26th, A. D., 1940.

Given under my hand, this 25th day of October A. D. 1940.

G. W. Robertson,
Judge of Probate.

I hereby accept the appointment of Guardina ad litem for Alice Adelle Nichols and Madelyn Nichols, monor heirs of Della O. Nichols, Deceased, to represent and protect their interests upon the hearing of the above named proceedings and hereby deny each and every allegation contained in said proceeding and demand proof thereof.

Witness my hand, this 26th day of October, 1940.

J. B. Blackburn
Guardian ad Litem.

Filed: 10/26/40
Recorded: Record "M" page 251.

DECREE ON FINAL SETTLEMENT

November 26, 1940

DELLA O. NICHOLS, Deceased,)
Estate of) IN THE PROBATE COURT OF
As to Final Settlement.) BALDWIN COUNTY, ALABAMA.

This day having been regularly set to hear and consider all matters pertaining to the petition heretofore filed by the First National Bank of Mobile, Alabama, executor of the estate of Della O. Nichols, deceased, for a final settlement of its administration of said estate, now comes to the said executor and moves the Court that its said petition be passed and allowed as a final settlement of its administration of said estate; and it appearing that due notice of the nature of and of the time set to make such settlement has been given in all respects according to law, and strictly in pursuance of the order of Court in said estate, made and entered in the premises on the 25th day of October, 1940, by publication for three successive weeks in the Fairhope Courier, a newspaper published in Baldwin County, Alabama, and J. B. Blackburn, who was heretofore appointed to act as guardian ad litem to represent and protect the interests of Alice Adelle Nichols and Madelyn Nichols the only minors concerned in this proceeding and settlement, now appearing in open Court and consenting in writing to act and contesting the said settlement, the Court proceeds with the hearing of said petition;

And it appearing to the Court that the petition of said executor is in writing, verified by affidavit, and that it alleges therein that under the will of said decedent it was relieved of the duty of filing any inventory or final accounting, but that it was its wish to make an accounting at this time; that all claims against the estate of Della O. Nichols which have been filed in the Probate Court of Baldwin County, Alabama, have been paid, except the claim of Dr. G. C. Goddard, which was refused on account of not being a proper claim against the estate, notice of refusal having been given by letter to claimant dated October, 1938, under Section 8970 of the Code of Alabama of 1923, that said executor has made up an account between itself and said estate, charging itself with all the assets of the deceased which have come into its possession and crediting itself with all the credits to which it is by Law entitled, which account is verified by affidavit; and that accompanying said account are vouchers on which petitioner relies to sustain the credit side of said account; that said executor expressly denies on oath that it has used any of the funds of said estate for its own benefit; that Alice Adelle Nichols and Madelyn Nichols, both of whom are minors and who reside with their mother

Mrs. Georgia Nichols, in Fairhope, Alabama, are the sole heirs and nearest of kin of said decedent; that under the will of said decedent the First National Bank of Mobile, Alabama, was bequeathed all the property of the decedent after the payment of debts, to be held in trust for the use and benefit of Alice Adelle Nichols and Madelyn Nichols, after the death of Forest Nichols (the said Forest Nichols died a few days after Della O. Nichols); the Court proceeds to examine said account and to consider the proof relating thereto; whereupon it is shown and appears that said executor has received as of October 18, 1940, principal cash, income cash and rents totaling \$10,715.66, and has disbursed principal cash, income cash and rental account totaling \$9,546.57, leaving a balance of cash on hand of \$1,169.09; and as of October 18, 1940, there was left on hand the following property: stocks of value of \$2.00, bonds of value \$1.00, real estate of estimated value of \$22,264.79, cash \$1,169.09, or a total of \$23,436.88, which is subject to the payment of the costs of Court for the final settlement of this estate, to include the cost of publishing notice of final settlement of this estate, to include the cost of publishing notice of final settlement and amount allowed guardian ad litem for his services in final settlement. And it further appearing to the Court that the balance of property on hand as of October 18, 1940, as above mentioned has been received by the First National Bank of Mobile, Alabama, as trustee under the will of Della O. Nichols, deceased, for the benefit of Alice Adelle Nichols and Madelyn Nichols, as provided in paragraph "Five" of decedent's will; and said account being full and correct: It is decreed by the Court that the accounts be, and the same hereby are, in all things passed and allowed, as above stated.

And it further appearing to the Court that the fees and commissions requested by the executor and its attorneys are just and reasonable, it is decreed that they be allowed.

And it further appearing that all claims on file in this court against the decedent's estate have been paid, with the exception of the claim of Dr. G. C. Goddard, as aforementioned, and it further appearing to the Court that the costs and fees due the officers of this Court upon this settlement amount to \$93.67:

It is ordered, adjudged and decreed by the Court that upon the payment of said costs, said executor be discharged.

It is further ordered by the Court that said petition and all other paper writing on file regarding said estate be recorded.

G. W. Robertson
Judge of the Probate Court, Baldwin
County, Alabama.

TRANSFER OF TITLE

First National Bank of Mobile, by H. Austill Pharr, V-Pres and Trust Officer as trustee under will of Della O. Nichols; et al	{	Kind of Instrument Trustee's Warranty Deed Dated May 30th, 1944 Acknowledged same day Before Notary, Mobile County, Ala. Grantor Married: Corporation-trustee Separate Acknowledgment of Wife, See below
To	Grantor	
O. K. Cummings		Before Filed for Record June 6th, 1944 Recorded in Deed Book 85NS page 159-60 All Signors Name in Body of Conveyance? yes Consideration \$2000.00 Paid yes Witnesses:
	Grantee	

DESCRIPTION OF PROPERTY

Whereas Della O. Nichols died in Fairhope, County of Baldwin, State of Alabama on the 1st day of January, 1938 leaving a last will and testament wherein the undersigned the First National Bank of Mobile, Mobile, Alabama was nominated and appointed sole executor thereof, which said will and testament was duly probated in the probate court of Baldwin County, Alabama on the 19th day of January, 1938, and

Whereas, the said court did on the 19th day of January, 1938 issue to the trustee Bank of Mobile, Alabama, letters testamentary on said estate after being advertises- - settled and closed and

Whereas, under section 5 of the will of Della O. Nichols the property hereinafter described was devised and bequeathed to the said First National Bank of Mobile, Mobile, Alabama, in trust upon certain conditions and

Whereas in and by the terms of said will in section 5 under subdivision "d" the undersigned was authorized and empowered to sell and convey the lands hereinafter described for the purposes set forth in said will, in the following language, to-wit; "(d" the trustee is given full power and authority under the trust estate with the right to buy and sell and convey any part without order of court, using their best endeavors to keep all invested safe and sound")

Now, therefore - that lot of land in Section 20, township 6 south range 2 east of St. Stephen's meridian more particularly described as the northwest quarter of the northwest quarter of section 20, township 6 south, range 2 east, containing 40 acres, more or less to have and to hold the said above described property to the said party of the second part as fully and completely in all respects as the parties of the first part ought to convey the same under and by virtue of the power and authority vested in them in said last will and testament.

Alice Adelle Nichols Stuart has become of age and joins in this conveyance to give her consent to the sale of the above described property - - - (note: Alice Adelle Nichols Stuart and Clarence J. Stuart, her husband sign the deed and properly acknowledge on May 31, 1944 before Notary, Baldwin County, Alabama

J. A. Ertzinger & Son
Abstracts and Insurance
Established 1909
Ertzinger Building
Bay Minette, Alabama

TRANSFER OF TITLE

O. K. Cummings and Celina Cummings, Husband and wife	(Kind of Instrument Warranty Deed (Dated Dec. 21, 1945 (Acknowledged Dec. 21, 1945 (Before Notary, Baldwin County, Ala. (Grantor Married yes (Separate Acknowledgement of Wife? yes (Before Same officer same day (Filed for record Dec. 28, 1945 (Recorded in Deed Book 101NS Page 463 -4
Grantor	
to	
Owen R. Minnich and Elizabeth S. Minnich; Axel I. Rundquist and Evelyn Rundquist	(All Signors Name in Body of Convey- (ance? yes (Consideration \$3000.00 Paid? yes. (Witnesses:
Grantee	

DESCRIPTION OF PROPERTY

The Northwest quarter of the Northwest quarter
of Section 20, Township 6 South, Range 2 East,
Baldwin County, Alabama - excepting highway and
street reservations - -

NICHOLS AVENUE

VALLEY STREET									
66'	66'	66'	66'	66'	66'	66'	66'	66'	66'
132'	132'	132'	132'	132'	132'	132'	132'	132'	132'

VALLEY STREET									
66'	66'	66'	66'	66'	66'	66'	66'	66'	66'
132'	132'	132'	132'	132'	132'	132'	132'	132'	132'

SCHOOL STREET									
66'	66'	66'	66'	66'	66'	66'	66'	66'	66'
132'	132'	132'	132'	132'	132'	132'	132'	132'	132'

SCHOOL STREET									
66'	66'	66'	66'	66'	66'	66'	66'	66'	66'
132'	132'	132'	132'	132'	132'	132'	132'	132'	132'

WISTERIA STREET									
66'	66'	66'	66'	66'	66'	66'	66'	66'	66'
132'	132'	132'	132'	132'	132'	132'	132'	132'	132'

WISTERIA STREET									
66'	66'	66'	66'	66'	66'	66'	66'	66'	66'
132'	132'	132'	132'	132'	132'	132'	132'	132'	132'

AZALEA STREET									
66'	66'	66'	66'	66'	66'	66'	66'	66'	66'
132'	132'	132'	132'	132'	132'	132'	132'	132'	132'

AZALEA STREET									
66'	66'	66'	66'	66'	66'	66'	66'	66'	66'
132'	132'	132'	132'	132'	132'	132'	132'	132'	132'

SECTION									
66'	66'	66'	66'	66'	66'	66'	66'	66'	66'
132'	132'	132'	132'	132'	132'	132'	132'	132'	132'

SECTION									
66'	66'	66'	66'	66'	66'	66'	66'	66'	66'
132'	132'	132'	132'	132'	132'	132'	132'	132'	132'

FAIRLAND AVENUE

FAIRLAND HEIGHTS SUB-DIVISION
TO THE TOWN OF FAIRHOPE, ALA.



ENCUMBRANCES

Owen R. Minnich and Elizabeth S. Minnich, husband & wife and Axel I. Rundquist and Evelyn L. Rundquist, his wife	GRANTOR	(Kind of Encumbrance: Mortgage (Dated Jan. 10, 1947 (Acknowledged same day (Before Notary, Baldwin County, Ala. (Filed for record Feb. 8, 1947 (Recorded in Mortgage book 124 (Page 369-70 (Consideration \$5000.00
to		
Celina M. Cummings	GRANTEE	(

Witness:

DESCRIPTION OF PROPERTY ENCUMBERED

Lots forty-one, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, fifty, fifty-one and fifty-two in Block One; also lots eighty-one, eighty-two, eighty-three, eighty-four, eighty-five, eighty-six, eighty-seven, eighty-eight, eighty-nine, and ninety in Block four; also lots 91, 92, 93, 94, 95, 119, 120, 121, 123, 124, 125, 126, 127 and 128 all in Block Five; also lots 59, 60, 61, 62, in, Block 4: All located in Fairland Highland Highlands Subdivision to the town of Fairhope, Alabama as recorded - - -

Due on or before Jan. 10, 1952 with interest at 6% due monthly - -
It is understood and agreed that the mortgagee will release any lot described above upon the payment of \$100.00 excepting lots 59, 60, and 62 in Block four which lots will be released upon the payment of \$1000.00 on the principal - - -

RELEASE OR CANCELLATION OF ABOVE ENCUMBRANCES

	GRANTOR	(How made? (By (Dated (Acknowledged (Filed for Record (Consideration (Recorded in Mortgage Book	Page
to			
	GRANTEE	(

LANGUAGE of CANCELLATION or RELEASE

The search for judgments, liens and lis pendens has been made under the following names:

Della O. Nichols
O.K. Cummings
Owen R. Minnich
Axel I. Rundquist

The search for Tax Sales has been made under the following names:

Same as above

T A X E S

DESCRIPTION:

NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 20, T6 S, R 2 E.

Year	Precinct	Assessment Number	To Whom Assessed	Marked Paid
1940	10	485	First National Bank as executor of estate of Della O. Nichols	yes.
1941	10	488	First National Bank as executor of estate of Della O. Nichols	yes.
1942	10	483	First National Bank as executor of estate of Della O. Nichols	yes.
1943	10	488	First National Bank as executor of estate of Della O. Nichols	yes.
1944	10	492	First National Bank as executor of estate of Della O. Nichols	yes.
1945	10	393	O. K. Cummings	yes.
1946	10	1702	Minnich & Rundquist	yes.
1947	10	1032	Minnich & Rundquist	See Note. yes

Note: Taxes become due and payable on October 1st, and delinquent on the next following January 1st, at which time penalties and expenses begin to accumulate.

C E R T I F I C A T E

We, J. A. Ertzinger & Son, licensed abstracters of Baldwin County land titles, do hereby certify that we have made a careful examination of the indices to such records of Baldwin County, Alabama, as are recorded in the office of Judge of Probate, for deeds, mortgages, judgments, liens and lis pendens and other instruments of writing, recorded therein, affecting the title to lands described in the caption hereof and find no such instruments of record except such as are herein noted in the foregoing pages numbered from 1 to 82 inclusive, which pages compose a full, true and complete abstract of title to said lands, according to said indices.

We further certify that there are no judgments rendered out of any court of record in the office of the Judge of Probate affecting the title to said lands, disclosed by said indices, except as are noted in this abstract.

We further certify that there are no taxes due for the past five years, except as are herein noted.

Dated at Bay Minette, County seat of Baldwin County, Alabama, this 3rd day of may 1948.

J. A. Ertzinger & Son
Licensed abstracters.

C E R T I F I C A T E

We, J. A. Ertzinger & Son, licensed abstracters of Baldwin County land titles, do hereby certify that we have made a careful examination of the indices to such records of Baldwin County, Alabama, as are recorded in the office of Judge of Probate, for deeds, mortgages, judgments, liens and lis pendens and other instruments of writing, recorded therein, affecting the title to lands described in the caption hereof and find no such instruments of record except such as are herein noted in the foregoing pages numbered from 1 to _____ inclusive, which pages compose a full, true and complete abstract of title to said lands, according to said indices.

We further certify that there are no judgments rendered out of any court of record in the office of the Judge of Probate affecting the title to said lands, disclosed by said indices, except as are noted in this abstract.

We further certify that there are no taxes due for the past five years, except as are herein noted.

Dated at Bay Minette, County seat of Baldwin County, Alabama, this _____ day of _____ 19____.

Licensed abstracters.

S U P P L E M E N T A L
A B S T R A C T
O F
T I T L E
T O

LOT NUMBER FIFTY (50), in BLOCK NUMBER ONE (1), in FAIRLAND HEIGHTS, a subdivision of the Town of Fairhope, Baldwin County, Alabama, as recorded in the Probate Records of Baldwin County in Map Book Number Three (3) at Page Sixteen (16).

ABSTRACT NUMBER 1208,

Compiled by,

FAIRHOPE TITLE & SURVEY COMPANY,

Fairhope, Alabama,

for

Mr. Matejka & Mr. Bernett

Celina M. Cummings,
a single woman,

To

William Matejka &
Anna Matejka

CONSIDERATION: \$1.00

INSTRUMENT: Quit Claim Deed.

DATED: 3 May, 1948.

FILED: 3 May, 1948.

RECORDED Deed Book 130, Pp.186.

ACKNOWLEDGED by Celina M. Cummings
on 3 May, 1948, before H. A. Burns,
Notary Public, Baldwin County, Ala.
Seal omitted.

CONVEYS:

"... all my right, title, and interest in or to the following described
real estate (or lands) to-wit:

Lot 50 in Block 1 Fairland Heights Addition
to the town of Fairhope, Baldwin County,
Alabama.

This conveyance is executed for the purpose
of releasing said real estate from the oper-
ation of that certain mortgage executed in
favor of the undersigned by Axil Rundquist and Owen
Minnich, said mortgage being dated January 10, 1947."

Owen R. Minnich and
Elizabeth S. Minnich,
and Axil I. Rundquist
and Evelyn L. Rundquist

To

William Matejka and
Anna Matejka

CONSIDERATION: \$225.00

INSTRUMENT: Warranty Deed.
DATED: 1 May, 1948.
FILED: 13 May, 1948.

RECORDED Deed Book 130, Pages 174-5.

ACKNOWLEDGED by Owen R. Minnich,
Elizabeth S. Minnich, Axil I. Rund-
quist and Evelyn L. Rundquist on
3rd of May, 1948 before H. A. Burns
Notary Public, Baldwin County, Ala.
General acknowledgement. Seal omitted.

CONVEYS:

"... all the Real Property in Baldwin County, Alabama, described as
follows:

Lot No. fifty (50), Blk one (1)
Fairland Heights Addition to the
Town of Fairhope, Baldwin County,
Alabama, according to the official
plat thereof recorded in map book
3 at page 16, Baldwin County, Ala-
bama records.

The above real estate constitutes no part of the homestead of the
above grantors."

William Matejka and wife,
Anna Matejka,

To

August Bennett and wife,
Josephine Bennett

CONSIDERATION: \$100.00
and other value

INSTRUMENT: Warranty Deed.

DATED: 22 September, 1952.

FILED: 13 October, 1952.

RECORDED (~~Not Yet Spread upon~~
~~the record~~) *Deed Book 187-119-20 J.H.A.*

ACKNOWLEDGED by William Matejke and
Anna Matejke on 23 September, 1952
before Frank Vorel, Notary Public,
Baldwin County, Alabama. General and
separate acknowledgements. Seal
affixed.

CONVEYS:

"... the following described lands situated in Baldwin County,
Alabama, to-wit:

Lot Number fifty (50), Block Number
One (1) in Fairland Heights, a subd-
ivision to the Town of Fairhope, Bal-
dwin County, Alabama, as recorded in Probate
Court of Baldwin County in Map Book No. 3,
page 16. "

JUDGMENT CERTIFICATE

We, FAIRHOPE TITLE AND SURVEY COMPANY, Abstracters of Baldwin County Land Titles, hereby certify that we have made an examination of the indices to the Probate Records as found in the office of the Judge of Probate of Baldwin County, Alabama, and find no instrument of record in the indexes to Judgments, Lis Pendens or Liens which constitutes a lien upon the lands described in the Caption of this Abstract during the time covered by same, except as hereinbefore noted.

Examination made in the following names only:

<u>Celina Cummings (middle initial M.)</u>	NONE.
<u>Owen R. Minnich</u>	NONE.
<u>Elizabeth S. Minnich</u>	NONE.
<u>Axil I. Rundquist</u>	NONE.
<u>Evelyn L. Rundquist</u>	NONE.
<u>William Matejka</u>	NONE.
<u>Anna Matejka</u>	NONE.
<u>August Bennett</u>	NONE.
<u>Josephine Bennett</u>	NONE.

FAIRHOPE TITLE & SURVEY COMPANY
Fairhope, Baldwin County, Alabama

By J. H. Arnold

STATE AND COUNTY TAXES

- 1948 Assessed to Rundquist & Minnich - Beat 10 - Assm't #1420
DESCRIPTION: NW of NW - 20-6-2 - 40 ac. PAID.
- 1949 Assessed to William & Anna Matejka - Beat 10 - Assm't #1135
DESC: (other land) Lot 50, Blk 1 Fairland Heights Fhpe. PAID.
- 1950 Assessed to William & Anna Matejka - Beat 10 - Assm't #1193
Desc: Same as 1949. PAID.
- 1951 Assessed to William & Anna Matejka - Beat 10 - Assm't #1236
DESC: Same as 1949. PAID.
- 1952 Assessed to William & Anna Matejka - Beat 10 - Assm't #
DESC: Same as 1949 NOT PAID

NOTE: Taxes become due and payable upon the 1st day of October each year and are delinquent upon the 1st day of January following. After this date costs, penalties and interest commence to accrue.

S U P P L E M E N T A L C E R T I F I C A T E

We, FAIRHOPE TITLE & SURVEY COMPANY, Fairhope, Alabama, Licensed Abstracters of Baldwin County Land Titles, hereby certify that the foregoing pages, numbered 1 to 6, inclusive, comprise a full and complete abstract of the records of Baldwin County, Alabama, from the 3rd day of May, 1948, to date, insofar as the same relate to the lands described in the caption hereof, according to the Indices of the Land Records of Baldwin County, Alabama, as found in the offices of the Judge of Probate, Tax Collector, and Tax Assessor of said County.

And we do further certify that there are no mortgages, judgments, or other liens of record filed during such period affecting the title of said lands, according to said Indices; and that all taxes due on said lands have been paid, except as herein shown.

Dated at Fairhope, Alabama, on this the 14th day of October, A. D., 1952, at 8:00 o'clock AM.

FAIRHOPE TITLE & SURVEY COMPANY
Licensed Abstracters,
Baldwin County, Alabama

BY J. H. Arnold

S U P P L E M E N T A L
A B S T R A C T
O F
T I T L E
T O

LOT NUMBER FIFTY (50), in BLOCK NUMBER ONE (1), in FAIRLAND HEIGHTS a subdivision of the Town of Fairhope, Baldwin County, Alabama, as recorded in the Probate Records of Baldwin County in Map Book Number Three (3) at Page Sixteen (16).

ABSTRACT NUMBER 1564

Compiled by

FAIRHOPE TITLE & SURVEY COMPANY

Fairhope, Alabama.

for

By request of J. E. Gooden
Fairhope, Alabama.

ABSTRACTER'S NOTE

An examination of the Indices to the Probate Records of Baldwin County, Alabama, shows no instrument whereby August Bennett and Josephine Bennett disposed of lands described in the Caption hereof.

There are no Estate proceedings in the Estate of August Bennett of record.

JUDGMENT CERTIFICATE

We, FAIRHOPE TITLE & SURVEY COMPANY, Licensed Abstracters of Baldwin County Land Titles, hereby certify that we have made an examination of the indices to the Probate Records as found in the office of the Judge of Probate of Baldwin County, Alabama, and find no instrument of record in the indices to Judgments, Lis Pendens or Liens which constitutes a lien upon the lands described in the Caption of this Abstract during the time covered by same, except as hereinbefore noted.

Examination made in the following names only:

William Matjeka.....None

Anna Matjeka.....None

August Bennett.....None

Josephine Bennett.....None

FAIRHOPE TITLE & SURVEY COMPANY
Fairhope, Baldwin County, Alabama.

By J. H. Arnold

STATE AND COUNTY TAXES

- 1952 Assessed to William & Anna Matjeka - Beat 10 - Assm't #1272
 DESCRIPTION: Lot 50 Blk 1, Fairland Heights
 Marked Error to Collect City Tax
 See Escape #39 for correction
 Marked Error
- 1952 Escape #39
 Assessed to William and Anna Matjeka
 DESCRIPTION: Lot 50 Blk 1, Fairland Heights
 Escape for 1952 only
 Marked "This Escape to Collect City Tax
 See Beat #10 - #1272 for original tax signed..."
 Paid
- 1953 Assessed to August & Josephine Bennett - Beat 10 -
 DESCRIPTION: Lot 50 Blk 1, Fairland Heights Subd. Assm't #124
 Paid
- 1954 Assessed to August & Josephine Bennett - Beat 10 -
 DESCRIPTION: Same as 1953 Assm't #134
 Paid
- 1955 Assessed to August & Josephine Bennett - Beat 10 -
 DESCRIPTION: Same as 1953 Assm't #137
 Paid

S U P P L E M E N T A L C E R T I F I C A T E

NUMBER 1564

We, FAIRHOPE TITLE & SURVEY COMPANY, Fairhope, Alabama, Licensed Abstracters of Baldwin County Land Titles, hereby certify that the foregoing pages, numbered 1 to 3, inclusive, comprise a full and complete abstract of the records of Baldwin County, Alabama, from the 14th day of October, 1952, to date, insofar as the same relate to the lands described in the Caption hereof, according to the indices of the Land Records of Baldwin County, Alabama, as found in the offices of the Judge of Probate, Tax Collector and Tax Assessor of said County.

And we do further certify that there are no mortgages, judgments, or other liens of record filed during such period affecting the title of said lands, according to said indices; and that all taxes due on said lands have been paid, except as herein shown.

Dated at Fairhope, Alabama, on this the 5th day of June, A.D., 1956 at 8:00 o'clock A.M.

FAIRHOPE TITLE & SURVEY COMPANY
Licensed Abstracters,
Baldwin County, Alabama.

By J. H. Arnold