

Washington County

Howerton, Bryce H.

1910

Box  
F

The State of Alabama,

PROBATE COURT.

Washington COUNTY.

Dec 8 1910

In the Matter of the Estate of Brice H. Hawerton Deceased.  
 Present, Hon. D. J. Long Judge of Probate:

And now, on this day comes S. J. Walter and presents  
 to the Court his petition in writing under oath, praying that Letters of Administration on the  
 Estate of Brice H. Hawerton deceased,  
 issue to S. J. Walter, which petition is examined by the Court and  
 ordered to be filed and recorded; and, it appearing to the Court from the allegations contained in said  
 petition, and from other good and sufficient evidence that the said Brice H. Hawerton  
 departed this life at  
 on or about the 8th day of November 1910  
 being at the time of his death an inhabitant of said County and State; that he died leaving  
 assets in said County and State, which assets, both real and personal, are estimated to be worth about  
Three Hundred & 75 Dollars,  
 consisting of

and leaving no will, testament or other writing, relating to the disposal or distribution of  
 estate, and that the death of the said decedent was known more than fifteen days before this day  
~~and now also~~ of the said intestate, having  
~~relinquished~~ right  
 under the statute to administer said estate; and it further appearing to the satisfaction of the Court  
 that S. J. Walter the said petitioner, is a brother  
 of said deceased, is over twenty-one years of age, an inhabitant of this State, and a fit person, under the  
 law and in the estimation of the Court, to serve as administrator or

and no person having appeared to oppose the granting of Letters of Administration to the said  
S. J. Walter or to show cause why the prayer of  
 said petitioner should not be granted, it is ordered that the same be granted, provided that the said  
S. J. Walter first file in this Court his bond  
 in the penal sum of One Thousand & 75 Dollars,  
 conditioned and payable according to the statute in such cases made and provided, with such security  
 or securities as may be approved by the Court. It is further ordered that the said petition be recorded.

And now again come S. J. Walter and present to the Court for  
 approval his bond in form as by this Court, heretofore, required, with  
American Bonding Company of Baltimore, Md.  
 as his securities thereon, and the Court being now sufficiently advised concerning said bond and  
 said security, it is ordered and adjudged by the Court that the said bond be taken, approved and recorded.

It is therefore ordered, adjudged and decreed by the Court that Letters of Administration on the  
 estate of said deceased be granted to the said S. J. Walter and that  
he be and hereby is authorized to administer said estate. It is further ordered that  
 the said S. J. Walter proceed immediately to collect and take into  
his possession the goods and chattels, money, books, papers, and evidences of debt of the said  
 deceased, except the personal property specifically exempted from administration under Sec. 2072 Code,  
 and make due return, under oath, to this Court, of a full and complete Inventory thereof within Two  
 months.

It is further ordered that

and they hereby are appointed Appraisers of  
 the personal property of said estate, and that a warrant of appraisement be issued to them, notifying  
 them of their appointment, and that they make due return to this Court, under oath, of their proceedings  
 within Two months.

3

No. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama,

COUNTY.

PROBATE COURT

ESTATE OF

Deceased.

Order Granting Letters of Administration.

Made \_\_\_\_\_ 19 \_\_\_\_\_

Judge of Probate.

\$1 00

Recorded in

*Wingates*

Record

Vol. 6 Page 166

Judge of Probate.



STATE OF ALABAMA,

MOBILE COUNTY.

Before me, Joseph N. Lyons, a notary public  
~~James Williams, Jr., Judge of the Probate Court~~ in and for  
said County and State, personally appeared

S. J. Walter administrator  
of the Estate of Bryce H. Howerton deceased;  
and the said S. J. Walter being by me  
first duly sworn, doth depose and say that the foregoing inventory of the Estate of said  
Decedent is full and complete as to the goods and chattels, debts and money of the  
Said Bryce H. Howerton Decedent which have come to  
his knowledge or possession.

Subscribed and sworn to this

29th day of May 1911  
Joseph N. Lyons  
Notary Public  
Mobile Co  
Ala

S. J. Walter

5-  
INVENTORY.

ESTATE OF

Bryce H. Howerton  
Deceased.

Filed May 31 1911

S. J. Lyons

Judge of Probate

Inventory Book B  
page 384.  
15-D



## II. Personal Property.

Cash	107.95
Goods in Commissary	56.50
1 Cow	15.00
41. Hogs	50.00
Account against Tomlinson Valley R.R. & Coal Co.	208.55
Lumber	100.00
1 Policy Accident Insurance upon which the Company denies liability and upon which the premiums were not kept up	No value

INVENTORY OF THE ESTATE OF  
Bryce H. Howerton DECEASED.

**I. Real Estate.**

None

No.

**In the Matter of**

Box 591. Marsh  
Bryce St. Hewarton

Administrator, Executor or Guardian.

Residence

Chateau

## Attorneys

### *Docket*

Page

### Free Books

Page 170

DATE	FEEES	AMOUNT	DATE	FEEES	AMOUNT
	WILL—Orders on Presentation, \$1.00			BROUGHT FORWARD,	10 00
	Affidavit in Petition for Probate, 25c			Affidavit to Report, 25c	
	Recording Petition, per 100 words, 15c			Recording, per 100 words, 15c	
	Issuing Citation, entering Sheriff's Returns, 50c			Appointing Com'r to Divide, and Writ, \$2.00	
	Appointing and Notifying Guard. ad Litem, 50c			Approving Division and Order thereon, \$1.00	
	Issuing Subpoena for Witness, 50c			Appointing and Notifying Guard. ad Litem, 50c	
	Affidavit of Witnesses, 25c				
	Examining Witnesses and order Probating, \$2.00			PARTIAL SETTLEMENT—Affidavit in Account, 25c	
	Issuing Commission to take Deposition, 50c			Affidavit to List of Heirs, 25c	
	Filing Interrogatories, 10c			Examining, Stating Acc't and Ap. Hearing, \$1.00	
	Copy of same, per 100 words, 15c			Order to Publish Notice of Sale, 50c	
	Recording Will, per 100 words, 15c			Appointing and Notifying Guard. ad Litem, 50c	
	Recording Testimony, per 100 words, 15c			Examining Vouchers, 10c	
	Certificate, without seal, 25c			Administering Affidavits, 25c	
	Certificate, with seal, 50c			Making Decree and Order to Record, \$1.50	17 25
	Presiding at Trial of Cont'd Will, per day, \$2.50			Recording <del>Decree</del>	
				Filing Claims and Giving Receipt, 15c	
2	LETTERS—Affidavit in Petition, 25c	1 00		INSOLVENCY—Affidavit in Report, 25c	
	Recording Petition, per 100 words, 15c			Affidavits to Statements, 25c	
2	Recording Rel. right to Admin'r, 100 words, 15c	1 00		Recording Report and Statement, 100 words, 15c	25
2	Granting Letters of Administration, 50c	1 00		Order Appointing Day for Hearing, 25c	25
	Issuing and Recording same, 50c			Order to Publish Notice of same, 25c	
	Granting Letters of Ga'd'nship, each minor, 75c			Order for Citations, 25c	50
	Issuing, Filing and Recording same, 50c			Issuing Notice to Creditor Day of Hearing, 50c	
2	Taking, App., Filing, Rec. Adm. Bond, \$1.50	3 00		Order Sustaining Report, 25c	
	Taking, App., Filing, Gua. d. Bond, \$1.00			Order for Settlement, 25c	
	Affidavit of Justification, 25c			Order to Publish Day of Settlement, 25c	
	Granting Order of Appraisement, 50c			Issuing Notice of Day of Settlement, 25c	
	Issuing Order of Appraisement, 25c			Affidavit to Amount of Claims, 25c	
	Recording same, per 100 words, 15c			Appointing and Notifying Guard. ad Litem, 50c	
	Order Removing Executor, Adm., Guard, \$2.00				
	Order Appointing General Guardian, \$1.00			SALE OF REAL ESTATE—Affidavit in Petition, 25c	
	Issuing and Recording same, 50c			Recording Petition, per 100 words, 15c	
2	Order Appointing General Administrator, \$1.50	2 00		Order Appoint. Day of Hearing and Notice, \$1.00	2 00
2	Issuing and Recording same, 50c	1 00		Order to Publish Notice of same, 50c	
	Order Appointing Administrator ad Litem, \$1.00		4	Issuing Citations, Entering Sheriff's Return, 50c	
	Issuing and Recording same, 50c			Appointing and Notifying Guard. ad Litem, 50c	
				Issuing Commission to take Deposition, 50c	
				Filing Interrogatories, 10c	
				Copy of Interrogatories, per 100 words, 15c	
				Appointing Com. to Divide and Issue Writ, \$2.00	
				Affidavit in Report of same, 25c	
				Order Approving Division and Report, \$1.00	
				Recording same, per 100 words, 15c	
				Hearing Applic'n for Dower, Issuing Writ, \$4.00	
				Exam'g Testimony and Grant. Order to Sell, \$2.00	
				Recording Depositions, per 100 words, 15c	
				Record. Relinquish'm't of Dower, per 100 words, 15c	
				Recording Report, per 100 words, 15c	
				Rec. Payment Purchase Money, per 100 words, 15c	
				Making Order on Report of Sale of Land, 75c	
				Hear. Application to Compel Conveyance, etc., \$2.00	
				FINAL SETTLEMENT—Affidavit in Account, 25c	25
				Affidavit to Statement of Heirs, 25c	25
				Exam'g, Stating and Reporting Account, \$1.00	25
				Order to Publish Notice of same, 50c	1 00
				Appointing and Notifying Guard. ad Litem, 50c	50
				Examining Vouchers, 10c	50
				Administering Affidavits, 25c	1 20
				Recording same, per 100 words, 15c	
				Decrees in Final Settlement, 50c	50
				SPECIAL PROCEEDINGS—Proceedings for Declar'n of	
				Unsound Mind and App. Guard. ad Litem, \$5.00	
				Recording Decree Relieving Minors, etc., \$1.00	
				Proceed. to Perpetuate Testim'y, per 100 words, 20c	
				Other Services Relating thereto, 75c	
				Record Proceedings Binding Out Appren., \$1.00	
				<i>certified copies for attorney</i>	21 25



No.

The State of Alabama,

County.

## PROBATE COURT.

In the matter of

Joyce M. Macintyre et  
al.

## PROBATE FEE BILL.

Received of

Dollars,

in payment of the above,

this 19

Judge of Probate.

DATE	FEES OF SHERIFF	AMOUNT	DATE	FEES OF WITNESSES	AMOUNT
	Serving and Returning Citations, @ 20 65			J. H. Baxter	1 90
	Summoning 4 Witnesses, @ 65	2 60		Rich Howard	1 90
	Collecting Execution for Cost, 1 50			Wesley Hardinworth	1 95
	Serving Application to Perpetuate Testimony, 1 00			J. A. Moody	6 50
	Impaneling Jury, 75				
	Serving Notices, @ 65				
	Summoning Jury Dower, per day, 5 00				12 25
	Serving Writs, @ 50				
	Sheriff's Commissions,				
	FEES OF PRINTER			I have received the amount opposite my name.	
	Washington Co News	7 85			
	FEES OF GUARDIAN AD LITEM				
	Earl W. Watney	5 00			
	Sheriff	2 60			
	Commissioners	7 85			
	Guardian ad Litem	5 00			
	Witnesses	12 25			
	Probate Judge	56 30			
		87 20			

No. *H. C. Turner* In the Matter of *Bryce H. Hammetton Deceased*

Administrator, Executor or Guardian.

Residence

*Chattanooga*

Attorneys

Docket

Page

Fee Book

Page

DATE

FEE

AMOUNT

DATE

FEE

AMOUNT

WILL—Orders on Presentation, \$1.00  
Affidavit in Petition for Probate, 25c  
Recording Petition, per 100 words, 15c  
Issuing Citation, entering Sheriff's Returns, 50c  
Appointing and Notifying Guard. ad Litem, 50c  
Issuing Subpoena for Witness, 50c  
Affidavit of Witnesses, 25c  
Examining Witnesses and order Probating, \$2.00  
Issuing Commission to take Deposition, 50c  
Filing Interrogatories, 10c  
Copy of same, per 100 words, 15c  
Recording Will, per 100 words, 15c  
Recording Testimony, per 100 words, 15c  
Certificate, without seal, 25c  
Certificate, with seal, 50c  
Presiding at Trial of Cont'd Will, per day, \$2.50

2 LETTERS—Affidavit in Petition, 25c  
Recording Petition, per 100 words, 15c  
Recording Rel. right to Admin'r, 100 words, 15c  
2 Granting Letters of Administration, 50c  
2 Issuing and Recording same, 50c  
2 Granting Letters of Guardianship, each minor, 75c  
Issuing, Filing and Recording same, 50c  
2 Taking, App., Filing, Rec. Adm. Bond, \$1.50  
Taking, App., Filing, Guard. Bond, \$1.00  
Affidavit of Justification, 25c  
Granting Order of Appraisement, 50c  
Issuing Order of Appraisement, 25c  
Recording same, per 100 words, 15c  
Order Removing Executor, Adm., Guard, \$2.00  
Order Appointing General Guardian, \$1.00  
Issuing and Recording same, 50c  
Order Appointing General Administrator, \$1.00  
Issuing and Recording same, 50c  
Order Appointing Administrator ad Litem, \$1.00  
Issuing and Recording same, 50c

HOARESTAD—Rec. Petition for Com., 100 words, 15c  
Record. Order for Applicant, per 100 words, 15c  
Recording Order for Com., per 100 words, 15c  
Notice to Commissioners, 50c  
Recording Report of Com., per 100 words, 15c  
Record. Order Setting Apart, per 100 words, 15c  
INVENTORY—Order to Approve and Record, 50c  
Affidavit to same, 25c  
Recording same, per 100 words, 15c

SUPPLEMENT INVENTORY—Order Approv., Rec., 50c  
Affidavit to same, 25c  
Recording same, per 100 words, 15c  
Recording Decree, per 100 words, 15c

APPRAISEMENT—Order Approving, Rec., 50c  
Affidavit to same, 25c  
Recording same, per 100 words, 15c

SUPPLEMENT APPRAISEMENT—Grant. Order, 50c  
Issuing Order of Appraisement, 25c  
Recording Warrant, per 100 words, 15c  
Order to Approve Appraisement, 50c  
Affidavit to same, 25c  
Recording same, per 100 words, 15c  
Recording Decree, per 100 words, 15c

SALE OF PERISHABLE PROPERTY—Petition, 25c  
Recording same, per 100 words, 15c  
Granting Order of Sale, 50c  
Issuing Order of Sale, 25c  
Appointing and Notifying Guard. ad Litem, 50c  
Appointing and Notifying Guard. ad Litem, 50c  
Recording, per 100 words, 15c

SALE OF PERSONAL PROPERTY—Petition, 25c  
Recording same, per 100 words, 15c  
Granting Order of Sale, 50c  
Issuing Order of Sale, 25c  
Order to Publish Notice of Sale, 50c

CARRIED FORWARD,

10 00

BROUGHT FORWARD,  
Affidavit to Report, 25c  
Recording, per 100 words, 15c  
Appointing Com'r to Divide, and Writ, \$2.00  
Approving Division and Order thereon, \$1.00  
Appointing and Notifying Guard. ad Litem, 50c

PARTIAL SETTLEMENT—Affidavit in account, 25c  
Affidavit to List of Heirs, 25c  
Examining, Stating Acc't and Ap. Hearing, \$1.00  
Order to Publish Notice of Sale, 50c  
Appointing and Notifying Guard. ad Litem, 50c  
Examining Vouchers, 10c  
Administering Affidavits, 25c  
Making Decree and Order to Record, \$1.50  
Recording same, per 100 words, 10c  
Filing Claims and Giving Receipt, 15c

INSOLVENCY—Affidavit in Report, 25c  
Affidavits to Statements, 25c  
Recording Report and Statement, 100 words, 15c  
Order Appointing Day for Hearing, 25c  
Order to Publish Notice of same, 25c  
Order for Citations, 25c  
Issuing Notice to Creditor Day of Hearing, 50c  
Order Sustaining Report, 25c  
Order for Settlement, 25c  
Order to Publish Day of Settlement, 25c  
Issuing Notice of Day of Settlement, 25c  
Affidavit to Amount of Claims, 25c  
Appointing and Notifying Guard. ad Litem, 50c

4 SALE OF REAL ESTATE—Affidavit in Petition, 25c  
Recording Petition, per 100 words, 15c  
Order Appoint. Day of Hearing and Notice, \$1.00  
Order to Publish Notice of same, 50c  
Issuing Citations, Entering Sheriff's Return, 50c  
Appointing and Notifying Guard. ad Litem, 50c  
Issuing Commission to take Deposition, 50c  
Filing Interrogatories, 10c  
Copy of Interrogatories, per 100 words, 15c  
Appointing Com. to Divide and Issue Writ, \$2.00  
Affidavit in Report of same, 25c  
Order Approving Division and Report, \$1.00  
Recording same, per 100 words, 15c  
Hearing Application for Dower, Issuing Writ, \$1.00  
Exam'g Testimony and Grant. Order to Sell, \$2.00  
Recording Depositions, per 100 words, 15c  
Record. Relinquishm't of Dower, per 100 words, 15c  
Recording Report, per 100 words, 15c  
Rec. Payment Purchase Money, per 100 words, 15c  
Making Order on Report of Sale of Land, 75c  
Hear. Application to Compel Conveyance, etc., \$2.00

5 4 FINAL SETTLEMENT—Affidavit in Account, 25c  
Affidavit to Statement of Heirs, 25c  
Exam'g, Stating and Reporting Account, \$1.00  
Order to Publish Notice of same, 50c  
Appointing and Notifying Guard. ad Litem, 50c  
Examining Vouchers, 10c  
Administering Affidavits, 25c  
Recording same, per 100 words, 15c  
Decrees in Final Settlement, 50c

SPECIAL PROCEEDINGS—Proceedings for Declarat'n of  
Unsound Mind and App. Guard. ad Litem, \$5.00  
Recording Decree Relieving Minors, etc., \$1.00  
Proceed. to Perpetuate Testim'y, per 100 words, 25c  
Other Services Relating thereto, 75c  
Record Proceedings Binding Out Appren., \$1.00

*Certified copies for Chancery Court*

21 25

TOTAL PROBATE JUDGE'S FEE,

56 00

No.

The State of Alabama

County.

## PROBATE COURT.

In the matter of

## PROBATE FEE BILL.

Received of

Dollars,

the payment of the above,

this ..... , 19.....

Judge of Probate.

Marshall &amp; Bruce Co., Stationers, Nashville, Tenn.

## DATE

## FEES OF SHERIFF

## AMOUNT

## DATE

## FEES OF WITNESSES

## AMOUNT

Serving and Returning Citations, @ \$0 65

Summoning 4 Witnesses, @ 65

Collecting Execution for Cost, 1 50

Serving Application to Perpetuate Testimony, 1 00

Impaneling Jury, 75

Serving Notices, @ 65

Summoning Jury Power, per day, 5 00

Serving Writs, @ 50

Sheriff's Commissions,

## FEES OF PRINTER

Washington Co News 7 85

## FEES OF GUARDIAN AD LITEM

Earl H. Gentry 5 00

Sheriff 2 60  
 Probate Commissioner 7 85  
 Guardian ad Litem 5 00  
 Witnesses 12 25  
 Probate Judge 56 00  
 83 70

J. H. Baxter 1 90  
 Rich Howard 1 90  
 Mark Wardworth 1 95  
 J. D. Moody 6 50

12 25

I have received the amount opposite my name.



LETTERS OF ADMINISTRATION.

The State of Alabama,

PROBATE COURT.

Washington County.

LETTERS OF ADMINISTRATION on the Estate of Brice H. Houston

deceased, are hereby granted to

S. J. Walter

who has duly qualified and given bond as such, and is authorized to administer such Estate.

Dated this 8 day of December 1900

A. J. Long

Judge of Probate.

4

THE : STATE : OF : ALABAMA,  
Washington County.

PROBATE COURT.

ESTATE OF

*Deceased.*

*Administrat*

Letters of Administration.

Probate Record  
B page 137  
25-  
Native 25-

STATE OF ALABAMA, }  
Washington  
MOBILE COUNTY. }

Know all Men by these Presents, That we S. J. Walter  
of Mobile, Alabama  
and

American Bonding Co

Baltimore, Maryland  
all of the County of ~~Mobile~~, are held and firmly bound unto PRIDE WILLIAMS, Jr.  
Judge of the Probate Court, in and for the County of Mobile, and his Successors in office,  
in the sum of One Thousand Dollars,

to be paid to the said Judge, or his successor in office, to which payment well and truly  
to be made, we bind ourselves, our heirs, executors and administrators, jointly and  
severally, firmly by these presents. Sealed with our seals, and dated the 2<sup>nd</sup>  
day of Dec in the year of our Lord, eighteen hundred and Twelve

The conditions of the above Obligation are such, That whereas, the  
above bound S. J. Walter  
has been duly appointed

Administrator of the  
Estate of Bryce H. Horverson  
Deceased

Now, if the said S. J. Walter  
shall well and truly perform all the duties which are or may be by law required of  
him as such administrator then the above obligation  
to be void, otherwise to remain in full force.

Taken and approved 8 day

of December A. D. 1910

N. J. Long  
Judge.

AMERICAN BONDING COMPANY OF BALTIMORE  
By W. J. Wilson Local Vice President  
Attest W. J. Wilson Local Vice Secretary  
SEAL  
SEAL  
SEAL  
SEAL



2 -

Recorded  
Private Record Bk 137

50 etc.



**ADMINISTRATOR'S SETTLEMENT NOTICE.**

The State of Alabama, }  
 WASHINGTON COUNTY. }

PROBATE COURT.

June 27th, 1912

In the Matter of the Estate of Bryce H. Howerton, <sup>Deceased.</sup>  
 of the estate of S. J. Walter, dec who was  
 This day came Sarah J. Walter & Joseph H. Lyons, Executors, Administrator  
 of the Estate of said deceased, and files ~~this~~ account, vouchers, evidence, statement  
 for final settlement of his said Administration.

It is ordered that the 25th day of July 1912, be appointed a  
 day on which to make such settlement, at which time all persons interested can  
 appear and contest the said settlement if they think proper.

Witness my hand, this 27th day of June 1912

*D. J. Long* Judge of Probate.

To Joe M. Pelham Jr.

Publisher: Please publish the above

notice three successive weeks in the Washington County News-

*D. J. Long* Judge of Probate:

STATE OF ALABAMA,  
WASHINGTON COUNTY.

PROBATE COURT.

IN THE MATTER OF THE ESTATE OF BRYCE H. HOWERTON. DECEASED.

TO F.C. TURNER, ADMINISTRATOR DE BONIS NON OF THE ESTATE OF BRYCE H.  
HOWERTON, DECEASED:

You will take notice that Sarah J. Walter and Joseph H. Lyons as the Executors of the Estate of S.J. Walter, deceased, having filed in this Court an application for the Final Settlement of the Estate of Bryce H. Howerton, deceased; the said S.J. Walter, having been in his life time Administrator of said estate. The Application for Final Settlement is made under Section 2692 of the Code of 1907- and notice is issued to you as Administrator de bonis non of the estate of Bryce H. Howerton, deceased, under section 2593 of the Code of 1907, that Thursday, the 27th, day of July, 1912 is the day set for the Final Settlement of said Estate, at which time you may appear and contest the said Settlement, if you think proper.

WITNESS MY HAND this the 27th, day of June, 1912.

D. J. Long.  
Judge of Probate.

*I hereby certify that I accept service  
of this notice and waive  
further service. This 27 day  
June 1912*

*F. C. Turner  
Adm. S.B.M. Estate  
Bryce Howerton decd.*



IN THE MATTER OF THE ESTATE OF BRYCE HOWERTON, DECEASED:

On the application of Mr. James N. Granade, representing Granade & Granade, creditors of the above estate, it is ordered by the Court that the hearing of the report of the Administrator de bonis non on the insolvency of said estate, be continued until Friday, the 10th, day of May, 1912.

*D. J. Long*  
\_\_\_\_\_  
Judge of Probate.

*Continued until Monday May 13,  
Tuesday May 14,*

*Probate Record B page 169*

*25-*

State of Alabama,  
Washington County.

IN THE PROBATE COURT OF SAID COUNTY.

TO THE HONORABLE DANIEL J. LONG, JUDGE OF SAID COURT.

Your petitioner, S. J. Walter, respectfully represents unto  
your Honor as follows:-

1. That he is a citizen of the County of Mobile, State of Alabama and over the age of twenty-one years; that on the 8th day of November, 1910, Brice H. Howerton, who resided at Tibbie, in Washington County, Alabama, died intestate leaving property in Washington County, Alabama, valued at \$500.00, which is a fair valuation in the judgment of your petitioner of the property of said decedent; that at the time of his death said decedent owed debts, but your petitioner is not informed as to the amount thereof.

2. That the heirs and distributees of the estate so far as your petitioner is informed and believes are as follows:

M. D. Moody, who is over twenty-one years of age and the wife of J. D. Moody, and both reside in Mobile County, Alabama, S. J. Walter, your petitioner, who is a brother of the said decedent, and the following nieces of the said decedent:- Foster Stephens, a girl, age about ten years, Vilma Stephens, a girl, age about 7 years, Joe Stephens, a girl, age about five years, all being minors under fourteen years of age, and all residing at Shady Grove, Alabama. The said minors live with their father, J. S. F. Stephens of Shady Grove, Alabama.

The premises considered, petitioner prays that letters of administration upon the said estate be granted to him by this Honorable Court upon his entering into bond with sureties in such amount as may be prescribed by your Honor.

S. J. Walter

Subscribed and sworn to before me this 2nd day of  
December, 1910.

Percy H. Kearns  
Notary Public, Mobile County, Alabama.

Estate of Bryce H. Howerton, Deceased. In the Probate Court of Washington County, Alabama.

To the Honorable D.J. Long, Judge of Probate:

Your petitioner, Mrs. Addie Howerton, respectfully represents unto your Honor that, she is the widow of Bryce H. Howerton, deceased; that the estate of Bryce H. Howerton, deceased, is being administered upon in the Probate Court of Washington County, Alabama; that Frank C. Turner is the Administrator De Bonis Non of said estate; that said estate has been all collected and turned into money, which is now in the hands of the said Frank C. Turner as Administrator De Bonis Non; the amount of which is unknown to your petitioner. Your petitioner further shows unto your Honor that B Bryce H. Howerton left surviving him, her, his widow, and that she claims as exempt from administration, for the maintenance of herself, the sum of One thousand dollars, or so much thereof as may be in the hands of the said Administrator De Bonis Non, as provided by Section 4200 of the Code of Alabama, and hereby selects the sum of One thousand Dollars, or so much thereof, as is available, in the hands of the said Administrator De Bonis Non, as aforesaid as her said exemptions.

Your petitioner prays that your Honor will enter and make an order directing the said Administrator De Bonis Non to pay over to your petitioner the said amount as claimed as exempt, as is provided by law.

Addie Howerton  
Petitioner.

Subscribed and sworn to before me, this the 13 day of May, 1913.

C. W. Self  
Notary Public.

Wallace C. Pruitt  
Attorney for Petitioner.



16-<sup>th</sup> May. 20 1913.

J. D. King, Judge

Set for hearing  
Monday, May 26/13.

Private Record  
B page 146-

75

1001

Exhibit "A".

Dec 2<sup>d</sup>

1910

ived from  
Ten

from S. Walter, admin estate of Bryce Norton, deceased

Dollars

On Payment of Premium on Bond as Administrator

~~\$10~~ 10

American Bonding Company of Baltimore

By M. A. P. Williams Mgr

TO THE HONORABLE D. J. LONG, JUDGE OF THE PROBATE COURT OF WASHINGTON  
COUNTY, ALABAMA.

Come Sarah J. Walter and Joseph H. Lyons, personal representatives of the estate of S. J. Walter, deceased, who was administrator of the estate of Brice Howerton, deceased, and show unto your Honor that on this day, to-wit, July 10th, 1912, Joseph H. Lyons ascertained from Messrs. W. K. P. Wilson & Son of Mobile, Alabama, that said S. J. Walter had paid to the American Bonding Company for a bond as administrator of the estate of said Brice Howerton, the sum of Ten Dollars (\$10.00); that a duplicate of the receipt which issued to the said Walter for the said premium is hereto attached, marked Exhibit "A" and made a part hereof; that the estate of said S. J. Walter is entitled to a credit for the said sum of Ten Dollars (\$10.00) paid as a premium for said administrator's bond. The said personal representatives of the said S. J. Walter, do therefore, hereby request this Honorable Court to permit them to amend their petition for a final settlement in the matter of S. J. Walter, deceased, as administrator of the estate of Brice Howerton, deceased, by amending the petition heretofore filed so as to claim an allowance to the said estate of S. J. Walter of the said sum of Ten Dollars (\$10.00) paid as a premium on the bond of the said Walter as administrator of the estate of the said Howerton.

Respectfully submitted.

Sarah J. Walter  
Joseph H. Lyons

Subscribed and sworn to before me this 13<sup>th</sup> day of  
July, 1912.

Beray B. Kearns  
Notary Public, Mobile County, Alabama.


Probate Record B page 144  
75



State of Alabama,  
Washington County.

I, D. J. Long, Judge of Probate, in and for said County in said State, do hereby certify that I have made copies of all proceedings and pad papers of record and on file with me as said Judge of Probate in the Matter of the estate of Brice H. Howerton, Deceased, which papers are numbered from 1 to 19 consecutively, and also from 1a to 5a consecutively, as well as all claims heretofore filed in my said Court, and I do hereby deliver the same to Miss Carrie Pelham, Register in Chancery of the Fourteenth District of the Southwestern District of the State of Alabama, under and pursuance to that certain order made by Hon. Thos. H. Smith, Chancellor of said Chancery Division, made on May, 23rd, 1913, and filed in my Court on May, 26th, 1913.

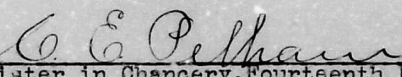
Given under my hand and seal of office at Chatom, Washington County, Alabama, on this the 28th day of May, 1913.

  
\_\_\_\_\_  
Judge of Probate.  
Washington County, Alabama.

I, Miss Carrie E. Pelham, Register in Chancery of the Fourteenth District of the Southwestern Chancery Division of the State of Alabama, do hereby receipt the said D. J. Long, Judge of Probate of Washington County, Alabama.

For the above mentioned and described papers and files.

Given under my hand and seal of office this the 28th day of May, 1913.

  
\_\_\_\_\_  
Register in Chancery, Fourteenth District of  
the Southwestern Chancery Division of the  
State of Alabama.

PROBATE SUBPOENA.

The State of Alabama, )

PROBATE COURT.

WASHINGTON

COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

*You are hereby commanded, without delay, to summon*

**J.W.Baxter**, Wash Wardsworth, and Rich Howard

*personally to be and appear*

*before me, the Judge of the Probate Court, of* Washington *County, at my*

*office, on the* 8th *day of* August, 1912, *188*, then and there to

*Speak the truth in behalf of the Contestor in the Administration of*  
*of the Estate of Bryce H. Howerton on a settlement of the Administra-*

*tion by the Administrator De Bonis Non.*

*And have you then and there this writ, with your endorsement thereon, in what manner*  
*you have executed the same.*

Witness,

*Judge of the Probate Court for*

Washington

D.J. Long

3rd

day of

August, 1912.

188

*D.J. Long* *Judge of Probate.*

14  
*original*

The State of Alabama,

COUNTY.

PROBATE COURT.

ESTATE OF

CITATION TO

*J. W. Baxter*

*25*

PROBATE SUBPENA.

Filed in my office, this \_\_\_\_\_ day

of \_\_\_\_\_ 188

Judge of Probate.

*Minister to p 173*

Marshall & Bruce, Stationers, Nashville, Tenn.

*Executed By  
Serving a within  
Copy on J W Baxter  
aug 6/ - 1912*

*W W Loper  
Shirley*

*Per W Moss  
L O*



STATE OF ALABAMA,  
WASHINGTON COUNTY.

IN THE PROBATE COURT OF SAID COUNTY.

IN RE ESTATE OF BRYCE H. HOWERTON, deceased:

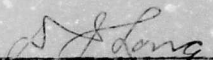
On this day came F.C. Turner, and filed his petition to be appointed Administrator de bonis non of the estate of Bryce H. Howerton, deceased, and it appearing to the court that Bryce H. Howerton departed this life intestate on the 8th, day of November 1910 in Mobile Alabama; that on the 8th, day of December 1910 S.J. Walter was appointed Administrator of said estate; that this court assumed and had jurisdiction of said estate; that said Walter departed this life in Jackson County, Mississippi, on the 26th, day of July, 1911 without having made a final settlement of his Administration of said estate; that F.C. Turner is an inhabitant of Washington County, Alabama, over the age of twenty-one (21) years and is the largest creditor of said estate, excepting only a Bankrupt Corporation and is qualified to act as Administrator de bonis non;

It is ordered that F.C. Turner be appointed Administrator de bonis non of the estate of Bryce H. Howerton deceased, upon his entering into bond to be approved by this court in the penal sum of \$1000.00.

And now again comes said F.C. Turner and files in this court his bond with two (2) good and sufficient sureties, in the amount described and it is ordered and adjudged that the said bond be taken, approved and recorded.

It is therefore ordered, adjudged and decreed by the court that Letters of Administration de bonis non issue to the said F.C. Turner, and that he be and hereby is authorized to administer said estate. He will immediately proceed to collect and take into his possession all goods, chattels, moneys, books, papers and evidences of debt of the said deceased, except the personal property which is exempt from the administration and make due return under oath to this Court and file herein a full and complete Inventory thereof within the time required by law.

IN WITNESS WHEREOF I HAVE HERETO SET MY HAND THIS 21st, day of February, 1912.

  
Judge of Probate Washington County, Ala.

Proleté Munité &  
page 168,  
1<sup>er</sup> ~~er~~

22

-----:  
In the Matter of :

The Estate of Brice H. Howerton, :  
Deceased. :

IN THE PROBATE COURT OF  
WASHINGTON COUNTY, ALABAMA.

Comes F. C. Turner, Administrator De Bonis Non of the estate of Brice H. Howerton, deceased, and respectfully reports to this Honorable Court that on, to-wit, the 24th day of May, 1913, there was served upon him, as said Administrator De Bonis Non a decree and order of the Chancery Court for the Fourteenth District of the Southwestern Chancery Division, Sitting at Chatom, Alabama, a copy of which said decree is hereto attached, marked Exhibit "A" and made a part hereof.

Wherefore, your petitioner respectfully prays that this Honorable Court do forthwith make a certified copy of the proceedings heretofore had in the above cause in this Honorable Court.

*F. C. Turner*  
\_\_\_\_\_  
As Administrator De Bonis Non of the  
Estate of Brice H. Howerton,  
Deceased.



In the Matter of the Estate )  
of )  
Brice O. Howerton. )

In Chancery at Chatom,  
Alabama.

To the Sheriff of Washington County, Greeting:

You are hereby commanded to serve a copy of the attached decree  
on F. C. Turner, administrator de bonis non of the estate of Brice O.  
Howerton, deceased.

WITNESS my hand this the 24 day of May, 1913.

  
Register.

( EXHIBIT "A" )

ORDER.

IN THE MATTER OF THE ESTATE OF BRICE H. HOWERTON.

Maggie D. Moody, an heir of Brice H. Howerton, having filed her sworn petition, reciting that she is one of his heirs, and that no steps have been taken for final settlement in the Probate Court, and asking that the further administration of his estate be removed into the Chancery Court for this District.

Upon consideration of said petition, the Court under the authority conferred upon it by an Act Regulating administrations of estate in this Court, etc., by an Act approved April 21st, 1911, now orders, adjudged and decrees that the further administration of this estate be removed from the Probate Court of Washington County, into the Chancery Court for the Fourteenth District of the Southwestern Chancery Division, sitting at Chatom, Alabama.

The administrator, de bonis non, F. C. Turner, is ordered and instructed to forthwith and within the next ten days file certified copies of the proceedings heretofore had in the Probate Court, in the office of the Register in Chancery of this Court, for which he is to pay, and also the Court Costs heretofore incurred in the Probate Court out of the funds of the estate in his hands.

He will henceforth conduct the further administration of said estate in this Court.

23 May, 1913.

(Signed) Thomas H. Smith.

Chancellor.

(EXHIBIT "A")

Chatham, Fla., May 26 1913

Mr. F. C. Turner, admin. J. Bonie Now,  
Bryce St. Howerton, Est.

TO WASHINGTON COUNTY NEWS, DR.

April 18 1912

To publishing notice of  
insolvency.

~~4 00~~  
4 00



Chatham, Fla., May 26 1913

Q. M. S. J. Walter & J. H. Lyman.

Admin Estate of B. F. Hawerton.

TO WASHINGTON COUNTY NEWS, DR.

July 4 To publishing notice of fi-  
nal settlement

3 85-

State of Alabama, Washington County.

I, Joe M. Pelham Jr. Editor of the  
Washington County News, a newspaper published at Chatom, Washington County, Alabama, do hereby  
certify that a copy of the Notice of final settlement,  
as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper,  
and not in any supplement thereof, for 3 consecutive weeks, commencing with the issue dated  
July 1 1913, and ending with the issue dated July 8 1913.  
I further certify that I have the right and authority to make this affidavit.

Sworn to and subscribed before me on this, the

26

day of

May

1913.

Willard Smith  
Notary Public,  
Washington County, Alabama.

State of Alabama, Washington County.

I, Joe M. Pellham Jr. Editor of the  
Washington County News, a newspaper published at Chatom, Washington County, Alabama, do hereby  
certify that a copy of the Notice of insolvency,  
as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper,  
and not in any supplement thereof, for 3 consecutive weeks, commencing with the issue dated  
April 18 1912, and ending with the issue dated May 2 1912.  
I further certify that I have the right and authority to make this affidavit.

Sworn to and subscribed before me on this, the 26th day of May 1912.

Malcolm P. H.  
Notary Public,  
Washington County, Alabama



THE STATE OF ALABAMA *Washington* COUNTY.

## PROBATE COURT.

LETTERS OF ADMINISTRATION *De Bonis Hon.*On the estate of *Price N. Houston*, deceased,are hereby granted to *J. C. Turner**De Bonis Hon.*  
who has duly qualified and given bond as such Administrator, and is authorized  
to administer such estate.Witness my hand, and dated this *24* day of *February*, 19*12**J. C. Turner*  
Judge of Probate.

42.

THE STATE OF ALABAMA,

County.

PROBATE COURT.

ESTATE OF

Deceased.

Administrat.

LETTERS OF ADMINISTRATION.

Probate Record B.  
page 139  
25 etc.

The State of Alabama,  
WASHINGTON COUNTY.

PROBATE COURT.

FEBRUARY 21st, 1912

In the Matter of the Estate of Bryce H. Howerton, ~~deceased~~ Deceased.

Know all Men by these Presents, That we *F. C. Turner,* Fred J. Jordan and Ben D. Turner,

are held and firmly bound unto D. J. Long,

Judge of Probate of said County, and his successors in office in the penal sum of

One Thousand (\$1000.00)

Dollars,

for the payment of which well and truly to be made and done, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated, this 21st day of February 1912

The condition of this obligation is such, That whereas,

on the 21st, day of February, 1912 F.C. Turner ~~is appointed~~

has been appointed Administrator, de bonis non ~~of the estate of~~

of the estate of Bryce H. Howerton Deceased,

Now, therefore, if the said F.C. Turner,

shall well and truly perform all the duties which are or may be by law required of him as such Administrator, de bonis non

then this obligation to be null and void, otherwise to remain in full force and effect.

And we and each of us hereby waive all rights of claim of exemption as to personal property we or either of us have now or may hereafter have, under the Constitution and Laws of Alabama, and we hereby severally certify that we have property free from all encumbrance, to the full amount of the above bond.

Witness our hands and seals, this 21st, day of February 1912

Taken and approved,

this 21st, day of Feby. 1912

Judge of Probate.

*F. C. Turner* (L. S.)  
*B. D. Jordan* (L. S.)  
*Fred J. Jordan* (L. S.)  
(L. S.)



No. 32 Page         

The State of Alabama,  
         COUNTY.

**PROBATE COURT.**

*ESTATE OF*

*Deceased.*

**ADMINISTRATOR'S BOND.**

*Filed*          19        

*Judge of Probate.*

5-0 cts

*Recorded in*  
Probate

*Record*

*Vol.* B *Page.* 138

*Judge of Probate.*

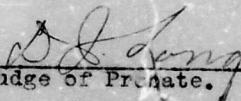
STATE OF ALABAMA,  
WASHINGTON COUNTY.

ESTATE OF BRYCE HOWERTON, DECEASED:

TO ALL CREDITORS OF SAID ESTATE AND OTHER PERSONS INTERESTED  
THEREIN:

The Administrator de bonis non having filed a report  
of insolvency, together with the statements required by law,  
it is ordered that Friday, ~~April 20th~~ <sup>May 3</sup>, 1912, be set for the  
hearing and determination of said report.

IN WITNESS WHEREOF, I have hereunto set my hand  
this the 11 day of April, 1912.

  
\_\_\_\_\_  
Judge of Probate.

*Probate Record B page 167*

STATE OF ALABAMA,  
WASHINGTON COUNTY.

PROBATE COURT.

IN THE MATTER OF THE ESTATE OF BRYCE HOWERTON. DEC.

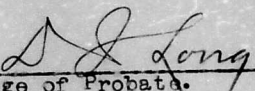
This day came Sarah J. Walter and Joseph H. Lyons,  
as the Executors of the estate of S.J. Walter, deceased, who was the  
Administrator of the estate of Bryce H. Howerton, deceased, and filed  
their application for Final Settlement under Section 2692 of the  
Code of 1907;

It is ordered that July 25th, 1912 be set as the day  
for said Final Settlement and that notice thereof be given as required  
by law.

It appearing that distributees Foster Stephens, Velma  
Stephens and Joe Stephens are minors; it is ordered that S. Earl Mc  
Glathery be appointed as Guardian ad litem to represent the said minors  
in the Final Settlement.

It appearing further that this Court has heretofore  
appointed F.C. Turner as administrator de bonis non of the estate of  
Bryce H. Howerton, deceased; it is ordered that notice of said settlement  
be issued to him as said administrator de bonis non under Section  
2693 of the Code of 1907, and that said notice be served upon him at  
least ten (10) days before the 25th, day of July, 1912.

WITNESS MY HAND THIS the 27th, day of June, 1912.

  
\_\_\_\_\_  
Judge of Probate.

*Probate Minutes C, page 171*



11  
Estate of George Hunt.

Order:

1. Selling my plot land  
2. opposed to  
H. H. in length measure.

3. Selling services and

J. C. Linnell

5-0

APPOINTMENT AND ACCEPTANCE OF GUARDIAN AD LITEM.

THE STATE OF ALABAMA,  
*Washington* County.

Probate Court.

*June 27,*

Term, *1912*

TO *J. Earl McWhorter, Atty at Law,*

Take Notice, That by an order of this Court, this day made and entered, you were appointed to act as Guardian ad litem for

*Foster Stephens, Velma Stephens and Joe Stephens.*

Minor heirs of

*Byce Hawerton*

deceased,

to represent and protect their interests upon *the final settlement of the estate of Byce Hawerton, decd.*

Given under my hand, this

*27<sup>th</sup>*

day of

*June*

*188 1912.*

*D. D. Long*

Judge of Probate.

I hereby accept the appointment of Guardian ad litem for

*Foster Stephens, Velma Stephens and Joe Stephens.*

Minor heirs of

*Byce Hawerton, deceased.*

~~deceased~~ to represent and protect their interests upon the hearing of the above *settlement of the estate of said Hawerton.*

Witness my hand, this

*27<sup>th</sup>*

day of

*June*

*188 1912.*

*J. Earl McWhorter*

Guardian ad litem.

12

The State of Alabama,  
Washington County.  
PROBATE COURT.

ESTATE OF

August Shumaker  
DECEASED

John Shumaker

John Shumaker and  
John Shumaker

MINORS

John Shumaker

Guardian ad Litem.

Appointment and Acceptance of Guardian ad Litem.

Filed this 27th day of

June 1882

and recorded in Book number

Page 172 this

day of 5-0 1888

Judge of Probate.

Marshall & Jones, Stationers, Nashville, Tenn.



the application for Final Settlement of  
In the matter of, the Estate of Brice H. Howerton, Decd.

Comes S. Earl McGlathery, Guardian ad Litem for  
Foster Stephens, Velma Stephens and Joe Stephens, minor  
Heirs of Bryce Howerton, deceased, interested in said pro-  
ceedings, and for answer to said Application for Final Settle-  
ment says, That he is not informed as to the correctness con-  
tained in said application and therefore he denies each and  
every allegation contained therein, and demands strict proof  
thereof.

Witness my hand this the 27th day of June, 1912.

S. Earl McGlathery,  
Guardian ad Litem, for  
Foster Stephens, Velma Stephens and  
Joe Stephens, Minors.

*Minutes & page 172*



13

Final

Estate of B. A. A. A. A.

Amos of

Guardian of Litem

Filed June 27<sup>th</sup> 1912

D. J. Long

Judge of Probate,

25-

IN THE PROBATE COURT OF WASHINGTON COUNTY, ALABAMA.

-----  
In Re, :

Estate of Brice H. Howerton, :  
Deceased. :

-----  
S. J. Walter the administrator in chief in this court of the estate of Brice H. Howerton, deceased, having departed this life without having settled his said administration of the estate of Brice H. Howerton, deceased, and Sarah J. Walter, as executrix and Joseph H. Lyons, as executor of the last will and testament of the said S. J. Walter, deceased, having heretofore filed statements, vouchers, accounts and etc, for the purpose of making final settlement of the administration of the said S. J. Walter as administrator of the estate of Brice H. Howerton, deceased, as provided in Chapter 49, Article 20 of the Code of Alabama of 1907, and this day, to-wit, the 8th day of August, 1912 having been regularly set down for the date to audit the account of the said S. J. Walter as administrator of the estate of Brice H. Howerton, deceased, as filed by the personal representatives of said Walter, to-wit by the said executrix and executor of the estate of said Walter, and due and legal notice having been given by publication for three successive weeks in a newspaper published in Washington County, Alabama of the day appointed for said settlement and the auditing of the said account, and proper and legal service of notice of the said day appointed for the said settlement and said audit having been had upon all resident defendants, and Mrs. D. A. Howerton, the mother of said Brice H. Howerton, and Mrs. M. D. Moody, the sister of said Howerton, non resident defendants being present in court on this day, to-wit, August 8th, 1912, by their agent and attorney in fact, J. D. Moody, and Earl McGlathery being present in court and consenting to act as the guardian ad litem of Foster Stephens, Velma Stephens and Joe Stephens all minors, and Frank C. Turner the administrator de bonis non of the said estate being present in court in his own proper person and by his attorney James N. Granade, and each and all of the

creditors of the said estate being present in court by their attorneys and Sarah J. Walter and Joseph H. Lyons as executrix and executor of S. J. Walter, deceased, being present in court by Joseph H. Lyons as attorney, the said F. C. Turner as administrator de bonis non of the estate of said Brice H. Howerton, deceased, moved the court to proceed with the hearing and to audit the account of the said Walter as filed by the said Sarah J. Walter as executrix and Joseph H. Lyons as executor of the said Walter, the said audit to be in all respects as provided by Chapter 49 Article 17 of the Code of Alabama of 1907, and the said Frank C. Turner as said administrator de bonis non having contested the account of the said Walter as administrator of the said Howerton, as filed by the said Sarah J. Walter and Joseph H. Lyons as executrix and executor of the said Walter and the said Turner having alleged that the said Walter had failed to charge himself as administrator of the said Howerton with one team consisting of one log wagon and seven oxen of the fair and reasonable value of \$355.00 and with eleven oxen of the fair and reasonable value of \$275.00 and with one mule, bridle, and saddle of the fair and reasonable value of \$75.00. And the said Turner as said administrator having further contested the item of the account of the said Walter as said administrator, the item contested being the one for lumber of the value of \$100.00 and the said Turner contending that the said lumber was of the fair and reasonable value of \$200.00 and that there was lumber now on hand belonging to the estate of the said Howerton of the value of only \$10.00. And the said McGlathery as guardian ad litem of Foster Stephens, Velma Stephens and Joe Stephens, minors contesting the said statement and account of the said Walter as said administrator of said Howerton, as filed by the said Sarah J. Walter as executrix and Joseph H. Lyons as executor of said Walter and the said guardian ad litem denying the correctness of each and every item of the said account as filed by the said personal representatives of the said Walter as administrator of the said Howerton, and it appearing to the court that all persons interested in the said settlement are present in court either in person, by their attorneys



or by their guardian ad litem, the court proceeds to the consideration of the said settlement of the account of said Walter as administrator of the said Howerton, deceased, as filed by the said personal representatives, to-wit, Sarah J. Walter and Joseph H. Lyons and proceeds to audit said account of said Walter as administrator of said Howerton, the said account having been filed by the personal representatives of said Walter, to-wit, by Sarah J. Walter as executrix and Joseph H. Lyons as executor, and the court proceeds to hear the evidence offered by the said Sarah J. Walter and Joseph H. Lyons as the personal representatives as aforesaid of the said Walter as administrator of the said Howerton, deceased, and of the said F. C. Turner as administrator de bonis non of the estate of said Howerton, deceased, and of the said Earl McGlathery as guardian ad litem, whereupon it is shown by due proof and to the satisfaction of the court that the said S. J. Walter before the time of his death received of the assets of the said Brice H. Howerton, deceased, and in his capacity of administrator thereof the following named articles of the fair and reasonable value set opposite to each of the same.

## DEBITS.

Cash	\$107.95 ✓
Lumber	200.00 ✓
Goods in Commissary	56.50 ✓
One Cow	15.00 ✓
41 Hogs	50.00 ✓
Claim vs. T. V. R. R. Co.	200.00 ✓
One Log wagon and 7 oxen	355.00 ✓
11 oxen	275.00 ✓
1 mule, bridle and saddle	75.00 ✓
Total-----	\$1334.45

And that the said S. J. Walter as administrator justly expended for and on account of said estate of said Brice H. Howerton, deceased, during his administration thereof the following amounts for the following named purposes, to-wit:-

## CREDITS.

Legal advetrisement to creditors	\$ 2.94 ✓
Premium on bond of administrator	10.00 ✓
Legal services to Stevens,	
Lyons & Dean	50.00 ✓
Credit for lumber on hand	10.00 ✓
	<u>\$ 72.94</u>

And that there is now on hand belonging to the estate of said Howerton lumber of the fair and reasonable value of Ten Dollars,



or by their guardian ad litem, the court proceeds to the consideration of the said settlement of the account of said Walter as administrator of the said Howerton, deceased, as filed by the said personal representatives, to-wit, Sarah J. Walter and Joseph H. Lyons and proceeds to audit said account of said Walter as administrator of said Howerton, the said account having been filed by the personal representatives of said Walter, to-wit, by Sarah J. Walter as executrix and Joseph H. Lyons as executor, and the court proceeds to hear the evidence offered by the said Sarah J. Walter and Joseph H. Lyons as the personal representatives as aforesaid of the said Walter as administrator of the said Howerton, deceased, and of the said F. C. Turner as administrator de bonis non of the estate of said Howerton, deceased, and of the said Earl McGlathery as guardian ad litem, whereupon it is shown by due proof and to the satisfaction of the court that the said S. J. Walter before the time of his death received of the assets of the said Brice H. Howerton, deceased, and in his capacity of administrator thereof the following named articles of the fair and reasonable value set opposite to each of the same.

## DEBITS.

Cash	\$107.95 ✓
Lumber	200.00 ✓
Goods in Commissary	56.50 ✓
One Cow	15.00 ✓
41 Hogs	50.00 ✓
Claim vs. T. V. R. R. Co.	200.00 ✓
One Log wagon and 7 oxen	355.00 ✓
11 oxen	275.00 ✓
1 mule, bridle and saddle	75.00 ✓
Total-----	\$1334.45

And that the said S. J. Walter as administrator justly expended for and on account of said estate of said Brice H. Howerton, deceased, during his administration thereof the following amounts for the following named purposes, to-wit:-

## CREDITS.

Legal advertisement to creditors	\$ 2.94 ✓
Premium on bond of administrator	10.00 ✓
Legal services to Stevens,	
Lyons & Dean	50.00 ✓
Credit for lumber on hand	10.00 ✓
	<u>\$ 72.94</u>

And that there is now on hand belonging to the estate of said Howerton lumber of the fair and reasonable value of Ten Dollars,

which lumber on hand is credited above.

12/20/20  
It further appearing to the court that all of the above mentioned items on the debit side of the above stated account have been converted into cash by the said Walter and that the fair and reasonable value of the same is as above set forth, excepting always that the said Walter has not converted into cash lumber now on hand of the value of about Ten Dollars. It is, therefore, ordered adjudged and decreed that the said account as above stated be and the same is hereby passed and established as above stated. And it further appearing to the court from the evidence that the said Sarah J. Walter as executrix and Joseph H. Lyons as executor, as aforesaid, have money in their hands amounting to the sum of \$1261.51, which was received by the said S. J. Walter, deceased, in his life time as administrator of the estate of Brice H. Howerton, deceased, it is, therefore, ordered, adjudged and decreed that the said Sarah J. Walter as executrix and Joseph H. Lyons as executor of the said S. J. Walter, deceased, do pay to the said F. C. Turner in his capacity as administrator de bonis non of the estate of Brice H. Howerton, deceased, the said sum of \$1261.51, or <sup>let</sup> execution issue for the same.

It is further ordered, adjudged and decreed that the said Sarah J. Walter as executrix and Joseph H. Lyons as executor of said Walter turn over to said Turner as said administrator de bonis non the said lumber now on hand.

It is further ordered, adjudged and decreed that the petition on the said Sarah J. Walter as executrix and Joseph H. Lyons as executor, filed in this matter and this decree, and all papers and writing relating to this proceeding be recorded.

It is further ordered and decreed that the said personal representatives of the estate of S. J. Walter, to-wit, Sarah J. Walter and Joseph H. Lyons as executrix and executor of the said S. J. Walter, deceased, and the estate of said S. J. Walter, deceased, and the said S. J. Walter as administrator of the said Brice H. Howerton, deceased, be and they, each, hereby are discharged from any other liability to the said estate of said Brice H. Howerton,

deceased, or to the said F. C. Turner as administrator de bonis non of the estate of the said Brice H. Howerton, deceased.

It is further ordered, adjudged and decreed that upon the payment of the judgment in this cause of \$1261.51 and the turning over of the lumber aforementioned of the value of Ten Dollars, the bond of said Walter as administrator in this cause be forthwith released and discharged without further order of this court.

It is further ordered, adjudged and decreed that the claim of Crenshaw Undertaking Company for funeral expenses of said Howerton amounting to the sum of \$130.00 be and it hereby is allowed for said sum of \$130.00 as a claim having priority and of the first class as provided by Section 2597 of the Code of Alabama of 1907.

It is further ordered, adjudged and decreed that the claim of F. C. Turner, assignee of P. J. M. Acker amounting to \$337.00 be and it hereby is allowed for the said sum of \$337.00 as a claim having priority and of the third class as provided by Section 2597 of the Code of Alabama of 1907.

Done this 8th day of August, 1912.

D. J. Long  
Probate Judge.

*Recorded Minutes 6 pages  
174-9,*



The State of Alabama,

PROBATE COURT.

COUNTY.

Notice by Admin in Or of Beyer &amp; Associates

In the Matter of the Estate of \_\_\_\_\_ Deceased.

Letters of Administration on the Estate of Said Decedent Deceased,

having been granted to the undersigned on the 8 day of Dec 1910

by the Hon. Daniel F. Long Judge of Probate of said County

notice is hereby given that all persons having claims against said estate, are hereby  
must required to present the same within the time allowed by law, or the same will be barred.Stevens & Lyons  
attorneysJ. J. Hatter,  
Administrator

To

Publisher: Please publish the above

notice three successive weeks in the



ESTATE OF BRYCE H. HOWERTON,  
Deceased.

IN THE PROBATE COURT OF  
WASHINGTON COUNTY, ALABAMA.

Comes F.C. Turner, Administrator de bonis non of the estate of Bryce H. Howerton deceased, and shows to the Court that he is satisfied that the property of the estate is insufficient to pay its debts; that such estate is to the best of his knowledge, and belief insolvent.

1. He shows to your Honor that there came into the hands of S.J. Walter, who was administrator of the <sup>said</sup> estate the following goods and chattels, evidences of debt and other personal property viz:

Cash-----	\$107.95
Goods in Commissary-----	56.50
One Cow-----	15.00
Forty-one hogs-----	50.00
Account against Tombigbee Valley	
R.R.Co. Face Value-----	208.55.
Lumber-----	100.00
One Policy accident Insurance upon which the Company denies liability and upon which the premiums were not kept up-----	No value.

2. That there is no real estate belonging to said estate.

The Administrator de bonis non attaches to this report the report of Sarah J. Walter as Executrix of S.J. Walter, deceased and of Joseph H. Lyons as Executor of the estate of S.J. Walter, deceased and prays that said reports be taken and considered as a part of this statement. The Administrator de bonis non has applied for and will obtain the amount of money which is on deposit in the City Bank & Trust Company to the credit of S.J. Walter as the Administrator of Bryce H. Howerton, deceased, being \$82.50; he has filed the claim against the estate of S.J. Walter, deceased which claim amounts to \$355.52; he verily believes that he will not be able to realize anything from the lumber which is referred to in the report of the Executrix and Executor hereto attached and verily believes that the policy of Insurance mentioned in the Inventory is entirely worthless. There is therefore, to the credit of said estate the following assets, to-wit:-

Cash in the City Bank & Trust Company----- \$82.50

Claim against the estate of S.J. Walter, dec----- \$355.52.

Total assets----- \$438.02

3. The following claims have come to the knowledge of the Administrator de bonis non, viz:

Washburn-Crosby Co. Louisville Ky. (Mdse.)-----	\$16.35 ✓
Lichbach Bros. Mobile, Ala. (Mdse.) -----	\$153.35 ✓
<i>2004</i> (F.J.M. Azker, M.D. Mobile, Ala. (preferred claim for medical service on last illness assigned to F.C. Turner, Chatom, Ala. \$337.00 ✓)	
<i>94</i> M.H. Jacobs, New Orleans, La. (Mdse.)-----	48.70 ✓
J.J. Moss, Chatom, Ala. (Mdse.)-----	96.21 ✓
<i>98</i> Standard Oil Co. Birmingham, Ala. (Mdse.)-----	36.26 ✓
<i>370</i> Gary Patrick, Chatom, Ala. (Labor)-----	22.92 ✓
<i>174</i> Granade & Granade, Chatom, Ala. A Co-partnership composed of Jas. N. Granade, & Joe C. Granade, (Legal services)---\$30.00, Timber---\$20.00---total-----	
National Packing Co. Mobile, Ala. (Mdse.)---	116.15 ✓
Walter Lumber Co. Inc. Mobile, Ala.-	3575.28
Mdse. and cash-----	3005.61 ✓ <i>See audit</i>
<i>working</i> Total-----	\$3882.45

4. That the heirs and distributees of the estate so far as the Administrator de bonis non is informed and believes are as follows:

M.D. Moody, who is over twenty-one years of age and the wife of J.D. Moody, and both reside in Mobile County, Alabama;

The heirs-at-law of S.J. Walter, deceased.

The Following pieces of Bryce H. Howerton, deceased:

Foster Stephens, a girl, age about ten years;

Vilma Stephens, a girl, age about 7 years;

Joe Stephens, a girl, age about 5 years, all being minors under fourteen years of age, and all residing at Shady Grove, Alabama. The said minors live with their father, J.S.F. Stephens of Shady Grove, Alabama.

WITNESS MY HAND this the 21st, day of February, 1912.

*J. C. Turner*  
Administrator de bonis non.

STATE OF ALABAMA,  
WASHINGTON COUNTY.

Personally appeared before me, Floride G. Powell, a  
Notary Public in and for Washington County, Alabama, F.C. Turner,  
Administrator de bonis non, who being by me duly sworn deposes and says:

That the foregoing report of Insolvency and the  
statements therein contained are correct to the best of his knowledge,  
information and belief.

F. C. Turner  
Administrator de bonis non.

Sworn to and subscribed before me  
this the 21st, day of February, 1912.

Floride G. Powell  
Notary Public Washington County, Alabama.

Probate Record Page 140  
\$1.50

Exhibit "A"

CHATOM, ALA.,

Feb. 9

1911

M. S. J. Walters, Admr. of  
estate of Bryce H. Howerton, died  
Mobile, Ala.

TO THE WASHINGTON COUNTY NEWS OR

Dec. 15 <sup>1910</sup> To publishing notice to creditors  
of Bryce H. Howerton, deceased

2.94

Said in full Feb. 9 1911  
Washington Co. News  
J. L. Latham



State of Alabama,  
Washington County.

TO THE HONORABLE D. J. LONG, JUDGE OF PROBATE, WASHINGTON COUNTY,  
A L A B A M A.

The undersigned, Sarah J. Walter and Joseph H. Lyons, respectively show unto your Honor that they are the duly qualified executrix and executor, respectively, of the estate of S. J. Walter, deceased; that S. J. Walter departed this life on July 26th, 1911; that in his life time, said Walter was administrator upon the estate of Brice Howerton, deceased, by appointment of the Honorable Probate Court of Washington County, Alabama; that the undersigned, as executrix and executor, respectively, of the estate of said Walter, have come into possession of no property whatsoever of the estate of said Howerton. Upon investigation, however, they are informed, and upon such information and belief, they state the facts herein-after set forth: The property of the said Howerton at the time of Howerton's decease, and which came into the possession of the said S. J. Walter, as administrator of the said Howerton, consisted of the following property.

Cash	\$107.95
Goods in commissary	56.50
One cow	15.00
Forty-one hogs	50.00
Account against Tombigbee Valley R. R. Co.	
Face value	208.55
Lumber	100.00
One policy accident insurance upon which the Company denies liability and upon which the premiums were not kept up	No Value
	<u>\$538.00</u>

The money above described, to-wit, the sum of \$107.95 was collected by the said Walter as said administrator and deposited in the City Bank & Trust Company, of Mobile, Alabama, to the credit of said Walter, as said administrator. Out of said funds, the said Walter paid to the Washington County News for advertising the notice to creditors of the estate of said Howerton, deceased, to file their claims, or be barred, the sum of \$2.94; that the said Walter, without authority, paid out of said funds to the James McDonnell Company, the sum of \$22.51; that there is, therefore, now

in the City Bank & Trust Company, Mobile, Alabama, to the credit of S. J. Walter, as administrator of the estate of Brice H. Howerton, deceased, the sum of \$82.50; that the goods in the commissary and the cow listed above were sold by the said Walter for their fair and reasonable value, that is to say, the said Walter realized for the same the sum of \$56.50 for the goods in the commissary and the sum of \$15.00 for the cow. The forty-one hogs were sold for their fair and reasonable value, but did not bring as much as \$50.00, but the exact amount at which the same were sold is not known to the undersigned, nor have they been informed, and have, therefore, charged the said Walter, in this report, with \$50.00, that being the inventoried value of the said hogs. The account against the T. V. Railroad Company was collected by the said Walter. The lumber belonging to the estate of said Howerton was never disposed of by the said Walter as said administrator. The undersigned have never had in possession the said lumber, have never seen the same and know nothing whatever of the said lumber nor have they been able to obtain any information concerning the same. The policy of insurance mentioned in the inventory is entirely worthless. The undersigned have made diligent efforts to ascertain if the said Walter had deposited in any bank the money realized from the property above shown to have been sold by him, but they have been unable to trace the same. The estate of the said Howerton, deceased, therefore, has a claim against the estate of S. J. Walter, deceased, for the following:

Goods in commissary	\$56.50
One cow	15.00
Forty-one hogs	50.00
Account against T. V. R. R. Co.	208.55
Check given to James McDonnell Company	
out of money in Bank	22.50
	<hr/> \$352.52

Attached hereto, marked Exhibit "A" and made a part hereof by reference is a voucher for \$2.94 expended by said Walter as said administrator. The estate of S. J. Walter is being administered in the Chancery Court of Jackson County, Mississippi. It, at this time, appears to be solvent and the claim of the estate of said Howerton for the said sum of \$352.55 should be filed against

the estate of said Walter. The undersigned file this report with your Honor in order that your Honor may appoint an administrator de bonis non of the estate of said Howerton, deceased, and further to advise said administrator de bonis non of the condition of the estate of said Howerton.

→ x Sarah J. Walter  
 as executrix of the estate of Walter D. D. D.  
Joseph H. Lyons  
 as executor of the estate of Walter D. D. D.

Subscribed and sworn to before me this 24<sup>th</sup> day of  
 January, 1912.

Percy H. Kears  
 Notary Public, Mobile county, Alabama.

Probate Record B page 142,  
 \$150



*Judge of Probate.*



*original*

The State of Alabama,

COUNTY.

PROBATE COURT.

ESTATE OF

CITATION TO

*Joseph H. Lyons.*

PROBATE SUBPENA.

Filed in my office, this \_\_\_\_\_ day

of \_\_\_\_\_ 188

Judge of Probate.

*Executed Aug 6<sup>th</sup> 1912*

*J. B. Palmer Sheriff*  
*By H. H. Haddaway*

Marshall & Bruce, Stationers, Nashville, Tenn.

*Please get return soon*  
*as possible*

State of Alabama,  
County of Washington.

TO THE HONORABLE D. J. LONG, JUDGE OF PROBATE OF WASHINGTON COUNTY,  
ALABAMA.

Come Sarah J. Walter and Joseph H. Lyons and show unto your Honor that S. J. Walter died on, to-wit, the 26th day of July, 1911; that at the time of his death, he was administrator of the estate of Brice Howerton, deceased; that under the provisions of the Code of Alabama of 1907, Chapter Forty-nine, Article Twenty, the personal representatives of an administrator who dies must make final settlement of the administration of the deceased administrator; that they are filing this statement in writing, under oath, in order to comply with the law in such cases; that they are the personal representatives of said S. J. Walter, having duly qualified as the executors of the estate of S. J. Walter in the Chancery Court of Jackson County, Mississippi; that at the time of the death of said Howerton, he left surviving him as his next of kin and heirs at law the following, to-wit:- His Mother, Mrs. D. A. Howerton, of Carters, Polk Co., Florida, a Sister, Mrs. M. D. Moody, the wife of J. D. Moody, who resides in Carters, Florida, and three nieces, all of whom are under the age of fourteen years and all of whom reside with their Father, J. S. F. Stephens, at Shady Grove, Alabama. The names of the said nieces are Foster Stephens, Velma Stephens and Joe Stephens. The said Howerton also left as one of his heirs and next of kin S. J. Walter, a half Brother; that the above named persons are all of the heirs of the said Brice H. Howerton, deceased; that there are no legatees of the said Howerton, as he left no will; that Frank C. Turner of Chatom, Alabama, is the administrator de bonis non of this estate; that the undersigned as executors of the estate of S. J. Walter, deceased, have come into possession of no property whatever of the estate of said Howerton. They are informed and believe, and upon such information and belief state, that the property of the said Howerton at the time of Howerton's decease, and which came into the possession of

the said S. J. Walter, as administrator of the said Howerton, consisted of the following property.

Lumber	\$100.00
Cash	107.95
Goods in commissary	56.50
One cow	15.00
Forty-one hogs	50.00
Account against Tombigbee Vallue R. R. Co. Face value	208.55
One policy accident insurance upon which the Company denies liability and upon which the premiums were not kept up	No Value
	<u>\$538.00</u>

The money abovedescribed, to-wit, the sum of \$107.95 was collected by the said Walter as said administrator and deposited in the City Bank & Trust Company, of Mobile, Alabama, to the credit of said Walter, as said administrator. Out of said funds, the said Walter paid to the Washington County News for advertising the notice to creditors of the estate of said Howerton, deceased, to file their claims, or be barred, the sum of \$2.94; that the said Walter, without authority, paid out of said funds to the James McDonnell Company, the sum of \$22.51; that there is, therefore, now in the City Bank & Trust Company, Mobile, Alabama, to the credit of S. J. Walter, as administrator of the estate of Brice H. Howerton, deceased, the sum of \$82.50; that the goods in the commissary and the cow listed above were sold by the said Walter for their fair and reasonable value, that is to say, the said Walter realized for the same the sum of \$56.50 for the goods in the commissary and the sum of \$15.00 for the cow. The forty-one hogs were sold for their fair and reasonable value, but did not bring as much as \$50.00, but the exact amount at which the same were sold is not known to the undersigned, nor have they been informed, and have, therefore, charged the said Walter, in this report, with \$50.00, that being the inventoried value of the said hogs. The account against the T. V. Railroad Company was collected by the said Walter. The lumber belonging to the estate of said Howerton was never disposed of by the said Walter as said administrator. The undersigned have never had in possession the said lumber, have never seen the same and know nothing whatever of the said lumber nor have they been able



to obtain any information concerning the same. The policy of insurance mentioned in the inventory is entirely worthless. The undersigned have made diligent efforts to ascertain if the said Walter had deposited in any bank the money realized from the property above shown to have been sold by him, but they have been unable to trace the same. The estate of the said Howerton, deceased, therefore, has a claim against the estate of S. J. Walter, deceased, for the following:

Goods in commissary	\$56.50 ✓
One cow	15.00
Forty-one hogs	50.00
Account against T. V. R. R. Co.	208.55 ✓
Check given to James McDonnell Company	
out of money in Bank	22.50
	<u>\$355.52</u>

Attached hereto, marked Exhibit "A" and made a part hereof by reference is a voucher for \$2.94 expended by said Walter as said administrator. Petitioners aver that they have not had in their possession any part of the funds of the estate of said Brice H. Howerton, deceased, and, therefore, have not used for their own benefit any funds of the estate of said Howerton, deceased. The undersigned, as personal representatives of the said S. J. Walter, deceased, have not paid any claims of the estate of said Howerton. The only claim that the undersigned have any knowledge of having been filed with the said Walter, as administrator, within the time required for filing claims against the estate of said Howerton is the claim of the Crenshaw Undertaking Company for the funeral expenses of burying the said Howerton. The said bill of the said Crenshaw Undertaking Company amounts to \$130.00, and that only recently has knowledge come to the undersigned that this bill was presented to the said S. J. Walter, as administrator, within the time required by law for filing claims against the estate of said Howerton; that the said claim has not been filed in the Probate Court of Washington County, Alabama.

The premises considered, your petitioners pray that a day be appointed for a settlement of the said administration and that notice thereof be given as required by law and that upon said



hearing, your Honor will state said account and will render a decree passing the same as stated.

Sarah J. Walter  
Joseph H. Lyons  
Executors of the estate of S. J. Walter, deceased.

Sworn to and subscribed before me this 27<sup>th</sup> day of May, 1912.

Percy H. Kearns  
Notary Public, Mobile County, Ala

Ex lat  
Kings Mountain, N.C.

Apparition of  
William.

First June 27, 1912

W. H. Long  
Kings Mountain, N.C.