

739

Robertsdale Ala. 3-23-28

Mr T. W. Richardson  
Bay Minette Ala

Dear Sir

Please send me by return mail  
if possible copy of complaint entered in  
your records by W. D. Stappleton and Howell Hall  
vs. H. M. Low CF. V. Barchard Mar 10-28.

Resp. H. M. Low.

Robertsdale.

STATE OF ALABAMA,  
BALDWIN COUNTY.

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IN THE CIRCUIT COURT,  
BALDWIN COUNTY, ALABAMA.

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT,  
BALDWIN COUNTY, . . . . .ALABAMA.

Your petitioner, W. D. Stapleton and Howell Hall, respectfully shows unto Your Honor as follows:-

FIRST:

That W. D. Stapleton is a resident of Bay Minette, Baldwin County, Alabama; that Howell Hall is a resident of Bay Minette, Baldwin County, Alabama; that H. M. Low is a resident of Caswell, Baldwin County, Alabama, and that Frank V. Barchard is a resident of Foley, Baldwin County, Alabama; that all are over the age of twenty one years, and are joint owners of the following described property, to-wit:-

178 acres on Bear Point as described in deed from Wm. M. Jones and wife to Wm. M. Carney, deed being recorded in Deed Book M, pages 151-152-153, Sec. 37, Township 8 South, Range 5 East, Baldwin County, Alabama,

Also, Beginning at a point 41 N. on intersection of the West line of the Suarez grant with the Township line of Township 8 South and 9 South, Range 5 East, thence run North 74 degrees 30' E., 1819.5 ft., for a point of beginning, thence South 24 degrees 30' East 990 ft., to Bay Oronoca, thence West along said Bay to a point South 24 degrees 30' opposite the beginning point, thence North 24 degrees 30' West to beginning Section 37, Township 8 South, Range 5 East, containing 30 acres, more or less, Baldwin County, Alabama,

SECOND:

That the said W. D. Stapleton and Howell Hall own a two-sevenths (2/7) interest each, in and to the above described property, and that the said H. M. Low owns a seventeen forty-ninths (17/49) interest in and to the said lands, and that the said Frank V. Barchard owns four forty-ninths (4/49) interest in the said property, and your petitioners further state that the above described property cannot be equitably divided and that it is necessary in order to perfect an equitable division of the

said property that a sale of the same be had and that it is to the best interest of your petitioners that the property be sold and the proceeds divided.

PRAYER FOR PROCESS.

THE PREMISES CONSIDERED your petitioners respectfully pray that the said H. M. Low and Frank V. Barchard be made parties respondent to this bill of complaint, by the usual process of this Court; that such orders, decrees and publications be made as necessary to perfect service on the said H. M. Low and Frank V. Barchard and that they be required to demur, plead to or answer the same within the time and under the penalties provided for by law or that the same be forever confessed.

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PRAYER FOR RELIEF.

That upon the final hearing of this cause Your Honor will cause the property described in this original bill of complaint to be sold for a division among the owners named herein and that if your petitioners are mistaken in the relief prayed for then Your Honor will grant such other, further, different and general relief as they may in justice be entitled.

*J. G. C.*  
Henry D. Moorner  
Howell Hall

HENRY D. MOORNER,  
Attorney for Complainants.

FOOTNOTE:-

Defendants are required to answer every allegation in the foregoing bill, paragraph one to two, inclusive, but not under oath, answer under oath is hereby expressly waived.

HENRY D. MOORNER,  
Attorney for Complainants.

The State of Alabama,  
Baldwin County.

} Circuit Court of Baldwin County, In Equity.

To any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon H.M.Low and Frank V.Barchard,

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of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by W.D.Stapleton and Howell Hall,

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against said H.M.Low and Frank V.Barchard,

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and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 10th day of March, 1928.

*T.W. Richerson* Register.

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

STATE OF ALABAMA,  
BALDWIN COUNTY.

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IN THE CIRCUIT COURT,  
BALDWIN COUNTY, ALABAMA.

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BALDWIN COUNTY, . . . . . ALABAMA,

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W. D. STAPLETON,

HOWELL HALL,

HENRY D. MOORER,  
Attorney for Complainants.

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HENRY D. MOORER,  
Attorney for Complainants.

H M Low  
Robertsdale  
Ala.

Friend

1 copy

to each dept



T. W. Richardson

Bay Minette

Ala

Court Register

2 Original

**RECORDED**  
THE STATE OF ALABAMA,  
BALDWIN COUNTY.

SERVE ON.....

Circuit Court of Baldwin County  
In Equity.

No. ....

SUMMONS

W.D. Stapleton and Howell  
Hall,

vs.

H.M. Low and Frank V. Barehard.

Defendant.

Henry D. Moorer.

Solicitor for Complainant

Recorded in Vol. .... Page .....

Received in office this 10th

day of March 1928

Sheriff.

Executed this <sup>3-15</sup> 3-15 day of

March 1928

by leaving a copy of the within Summons with  
Mr Frank Barehard Jr mch 15th 1928

Sheriff.

By B. O. Higgins  
Deputy Sheriff.



J. D. Aspinwall  
at - al

= OS =

H. M. Low  
at - al

Filed Nov 10/1928

J. W. Aspinwall  
Register

RECORDED