

STATE OF ALABAMA,

COUNTY. BALDWIN

KNOW ALL MEN BY THESE PRESENTS: That we, Malbis Plantation, Inc., a Corporation, as Principal, and the undersigned, as Sureties, are held and firmly bound unto the Register of the Circuit Court, in Equity, for said County, in the sum of Fine Dollars ($\frac{500}{}$), for the payment of which to the said Register, or to his successors, we bind ourselves, our executors and administrators, jointly and severally. Sealed with our seals and dated this Z September, 1933.

WHEREAS, the said Malbis Plantation, Inc., a Corporation, has filed its Bill of Complaint in the said Circuit Court, in Equity, and has obtained thereon an Order for the issuance of an Injunction from the Hon. F. W. Hare, Judge, to restrain and enjoin Leslie Taylor, J. H. Green and Emanuel Davidson, from trespassing upon, cutting or removing the timber therefrom, or erecting buildings on the following described real estate situated in Baldwin County, Alabama, to-wit:-

Southwest Quarter of Northwest Quarter (SW2 of NW2) and East half of Northwest Quarter (Ed of NW1) of Section Twenty-seven (27), Township Five (5) South of Range Five (5) East.

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the said Malbis Plantation, Inc., its successors or assigns, or any of them, shall well and truly pay or cause to be paid all damages which any person may sustain by the suing out of said Injunction if the same is dissolved by the Circuit Court, in Equity, on the Bill filed by the said Malbis Plantation, Inc., as aforesaid, then the above obligation to be void, otherwise to remain in full force and effect.

Witness our hands and seals on the day and year first above written.

Taken and approved this _ day of Sept., 1933.

Register.

MALBIS PLANTATION, INC., A COrporation,

SEAL

MALBIS PLANTATION, INC., A Corporation, Complainant,

-VS-

LESLIE TAYLOR, J. H. GREEN and EMANUEL DAVIDSON,

Respondents.

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

TO THE HON. F. W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT OF ALABAMA:-

Your Orator, the Malbis Plantation, Inc., a Corporation, humbly complaining shows unto your honor as follows:-

FIRST:

That it is a Corporation organized under the laws of the State of Alabama, with its principal place of business at Daphne, Alabama; that the Defendants are resident citizens of Baldwin County, Alabama, and are over the age of twenty-one years.

SECOND:

Your Orator further shows unto your Honor that it is the owner and is in the possession of the following described real estate situate in Baldwin County, Alabama, to-wit:-

Southwest Quarter of Northwest Quarter (SW2 of NW2) and East half of Northwest Quarter (E2 of NW2) of Section Twenty-seven (27), Township Five (5) South of Range Five (5) East.

Your Orator further shows unto your Honor that situated and located on said lands is considerable pine timber, and that said lands are chiefly valuable for said timber located, situated and growing thereon. Your Orator further shows unto your Honor that the Defendants are now trespassing upon said lands and turpentining same, cutting some of the timber thereon and erecting houses, and unless restrained by this Honorable Court will cut and remove all of said timber from said lands of any consequence; that said Defendants are committing divers and numerous trespasses on said premises, and that unless restrained said trespasses will cause and bring about a multiplicity of suits and irreparable injury.

PRAYER FOR PROCESS.

To the end that equity may be had in the premises Orator prays that your Honor will grant a temporary Writ of Injunction

directed to the said Defendants, Leslie Taylor, J. H. Green and (page one)

Emanuel Davidson, restraining them from trespassing upon said lands and from cutting or removing the timber therefrom or erecting buildings thereon. Your Orator further prays that your Honor will cause the usual writ of process of this Honorable Court to issue to said Defendants named in this Prayer for Process making them parties defendant to this Bill of Complaint and requiring them to plead, answer or demur to the same within the time as required by law and the practice of this Honorable Court.

PRAYER FOR RELIEF.

THE PREMISES CONSIDERED, your Orator prays that on the final hearing of this cause that your Honor will decree that said Temporary Writ of Injunction be made perpetual and that said Defendants be perpetually enjoined from trespassing upon said lands and cutting or removing the timber therefrom. Your Orator prays such other and further relief as in equity may seem just and mete, and your Orator will ever pray, etc.

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FOOT NOTE: -

Defendants are required to answer paragraphs one and two of the foregoing Bill of Complaint, but answer under oath is hereby expressly waived.

Hybert, Heard Theran

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, Must , a Notary Public in

and for said State and County, personally appeared _

Tranks., who, being duly sworn says:- That he is an officer of and agent for the Complainant in this cause, and that he is authorized to make this Affidavit, and that the allegations

contained in the foregoing Bill of Complaint are true and correct.

Sworn to and subscribed before me, a Notary Public whose seal is hereto affixed, this 22 day of September, 1933.

Notary Public, Baldwin County, Ala.

This Bill being presented to me for an order directing that a temporary Injunction be issued against Leslie Taylor, J. H. Green and Emanuel Davidson, as prayed for in the foregoing Bill of Complaint, it is ordered that on the Complainant entering into Bond in the sum of June Sunday Info to be approved by the Register, that a temporary Injunction be issued restraining the said Leslie Taylor, J. H. Green and Emanuel Davidson from trespassing upon said lands and from cutting or removing the timber therefrom or erecting buildings on said lands Por in said Bill.

Dated this 26 day of September, 1933. as prayed for in said Bill.

Circuit Court, Baldwin County, Ala.,

PLAINTIFF

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BILL OF COST Cts Dollacs Cts AMOUNT BROUGHT FORWARD Fees of Register For receiving, keeping and paying out or distributing Filing each bill and other papers ... money, etc. 1st \$1,000 1 per ct.; all over \$1,000 and Issuing each Subpoena not over \$5,000, 3-4 of 1 perct.; all over \$5,000 and not exceeding \$10,000, 1-2 of 1 perct.: all over \$10,-Issuing each copy thereof ... 000, 1-4 of 1 per ct. Entering each return thereof 4. Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per cr. of amount received. For each Order of Publication Each Notice Sent by Mail to Creditors Issuing Writ of Injunction _____ 1 50 Filing, Receipting for and Docketing each Claim, etc For each Copy thereof ______ 50 For all entries on Subpoena Docket. etc.____ For all entries on Commission Docket, etc 50 Entering each return thereof Making Final Record, per hundred words..... 15 Issuing Writ of Attachment Certified Copy of Decree Entering each return thereof Total Fees of Register ____ Docketing each case ... Entering each Appearance FEES OF SHERIFF Issuing each Decree Pro Confesso on personal service 1 00 Serving and Returning Subpoena on Deft. \$1 50 Issuing each Decree Pro Confesso on publication _____ 1 00 Serving and Returning Subpoena for Witness. Each Order Appointing Guardian 1 00 Levying Attachment...... 300 Any other order by Register 50
Issuing Commission to Take Testimony 50 Entering and Returning Execution Receiving and Filing Selling Property Attached _____ 25 Endorsing each package Entering Order Submitting Cause Entering any other Order of Court _____ 25 Noting all Testimony _____ 50 Abstract of Cause, etc. _____1 00 Entering each Decree ______ 75 For Every Hundred Words Over Five Hundred _____ 15 Taking Account on Reference ______3 00 Serving and Returning Writ of Injunction 1.50 Taking Testimony, etc. _____ 15 Fach Report, Five Hundred Words or less _____2 50 Taking and Approving Bonds, each...... 1.00 For every Hundred Words Over Five Hundred...... 15 Amount Claimed. Less than Five Hundred Dollars, etc. 2 00 Collecting Money on Execution Issuing each Subpoena _____ 25 Witness Certificate, each Entering each Return ______ 15 TOTAL FEES OF SHERIFF 14 E Takirg and Approving Bond, each ______1 00 Making Copy of Bill, etc. Recapitulation Each notice not otherwise provided for _____ 50 Fach Certificate or Affidavit, with Scal _____ 50 Register's Fees.... Each Certificate or Affidavit, no Seal _____ 25 Sheriff's Fees Hearing and passing on application for Receiver or Trustee 3 00 Commissioner's Fees Each Settlement with Receiver or Trustee ______3 00 Solicisor's Fees Examining each Voucher of Receiver or Trustee _____ 10 Witness Fees Guardian Ad Litem Recording Resignation or Suggestion of Death of Trustee 75 Printer's Fees Entering each Certificate to Supreme Court______ 50 Trial Tax 3 00 Recording Decree in Probate Court Taking Questions and Answers, etc. _____ 25 For all other service relating to such proceedings 1 00 For service in proceeding to relieve minors, etc. same fee as in similar cases. Commission on sales, etc.: 1st \$100, 2 percent; all over \$100, and not exceeding \$1000, 1 1 2 per cent; all over \$1.000 and not exceeding \$20,000, 1 per cent; all over \$20,000, 1-4 of 1 per cent. Sub Total Carried Forward - - -

Received payment this ______ day of ______ 193 .____ Register.

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MALBIS PLANTATION, INC., A Corporation,

Complainant,

-VS-

LESLIE TAYLOR, J. H. GREEN and EMANUEL DAVIDSON,

Respondents.

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

STATE OF ALABAMA,

BALDWIN COUNTY.

TO ANY SHERIFF OF SAID STATE - GREETINGS:-

We command you that without delay you execute this Writ and due return thereof to make to us instanter, at a term of our Circuit Court-In Equity, to be held at Bay Minette, Alabama, on the day of day of held at Bay Minette, Alabama, on

TO LESLIE TAYLOR, J. H. GREEN AND EMANUEL DAVIDSON - GREETINGS:-

WHEREAS, Malbis Plantation, Inc., a Corporation, has exhibited its Bill of Complaint in the Circuit Court of Baldwin County-In Equity, and has obtained from the Hon. F. W. Hare, Judge of said Court, an order for the issuance of an Injunction to restrain and enjoin you as hereinafter mentioned;

AND WHEREAS, the said Malbis Plantation, Inc., a Corporation, in accordance with said order, entered into bond with security in the sum of the local Dollars, payable to and approved by the Register of said Circuit Court and conditioned according to law.

NOW, THEREFORE, you, the said Leslie Taylor, J. H. Green and Emanuel Davidson, are hereby commanded and strictly enjoined from trespassing upon the following described lands situated in Baldwin County, Alabama, to-wit:-

Southwest Quarter of Northwest Quarter (SW2 of NW2) and East half of Northwest Quarter (E2 of NW2) of Section Twenty-seven (27), Township Five (5) South of Range Five (5) East;

and from cutting or removing the timber therefrom or erecting buildings thereon until further orders of this Court.

Witness the hand of the Register and the seal of said Circuit Court-In Equity, this 2 day of September, 1933. (page one)

(page two)

Register.

MALBIS PLANTATION, INC., a corporation,

Complainant,

VS.

LESLIE TAYLOR, J. H. GREEN and EMANUEL DAVIDSON,

Respondents.

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

Come the respondents in the above styled cause, and answering the bill of complaint exhibited therein, say:

FIRST: They admit the allegations of Paragraph FIRST of the said complaint.

SECOND: They deny all other allegations of said complaint, except as they may be admitted herein.

THIRD: They say that the complainant is not the owner of and is not in the possession of the property described in the complaint, but that the said property is owned by one W. C. Beebe, who is in possession of the same, claiming to own the same; that the said W. C. Beebe has executed and delivered to respondent, Emanuel Davidson, a lease and contract wherein and whereby he leased said propertybto Emanuel Davidson and agreed to sell the same to him for the price stipulated therein; that the said lease and contract was entered into by the said Emanuel Davidson for the benefit of himself and of the other respondents, Leslie Taylor and J. H. Green; that said W. C. Beebe placed these respondents in possession of said lands at said time, and that they entered on said lands and are now and have been continuously since the execution of the said lease and contract occupying and using the same in the manner authorized

by the said lease and contract and are turpentining said lands thereunder.

Respondents further say that they are the owners of the timber rights and of the lands under the said lease and contract, subject only to the rights of the said W. C. Beebe, and any and all acts done by them on the said lands are lawful and they had and have a right to do any and all acts done by them thereon.

Respondents having fully answered the said complaint, pray that said injunction may be dissolved and that they may go hence with their reasonable costs.

Delle Hall
Solicitors for Respondents.

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