

WILLIAM YANCEY and
J. S. MICKELSON
Complainants

VS

ELVIRA TRIONE and
ANGELO TRIONE
Defendants

IN THE CIRCUIT COURT
OF BALDWIN COUNTY
ALABAMA
IN EQUITY

Comes the Defendants in the above styled cause
and demurring to Complainant's Bill of Complaint says:

1.

There is no equity in the Bill.

Said Bill of Complaint does not allege that the De-
fendants have ^{or} claim to have some right, title to, interest in,
or encumbrance on said lands;

2.

Said Bill of Complaint does not allege that there is
no suit pending to endorse the validity of Defendants right
title to, interest in, or encumbrance on said lands.

Beube & Hall
By N. Beube
Solicitors for Defendants.

William Yancey and
J. S. Mickelson
Complainants

vs

Elvira Trione and Angelo
Trione
Defendants

IN THE CIRCUIT COURT
OF BALDWIN COUNTY,
ALABAMA.

In EQUITY

TO THE HONORABLE JUDGE F. W. HARE, JUDGE OF SAID COURT:

Your Complainants, William Yancey and J. S. Mickelson present this Bill of Complaint against Elvira Trione and Angelo Trione, Defendants and thereupon complain and shows unto your Honor and the Court as follows:

Your Complainants are both over the age of twenty-one and residents of Baldwin County Alabama and Defendants Elvira Trione and Angelo Trione are both over the age of twenty-one and residents of Daphne, Baldwin County, Alabama.

Your Complainants own, and is in the actual quiet and peaceable possession of the following described real estate situated in Baldwin County Alabama, to-wit:

From the Southwest corner of fractional Section 8 T 5 S R 2 E according to the survey of Silas Dinsmore, U. S. Deputy Surveyor run north 1121.5 feet for the point of beginning; thence west 2753 feet along the ~~###~~ South line of Section 39 Charles Stuart grant thence north 416.5 feet; thence East 6203 feet; thence North 19.8 feet; thence East 478 feet; thence South 402.8 feet; thence west 3928 feet to the point of beginning.

Parcel 2

From the Southwest corner of fractional Section 8 T 5 S R 2 E according to the survey of Silas Dinsmore U S Deputy Surveyor run North 1121.5 feet thence W 3382 feet along the South line of Section 39 Charles Stuart Grant for a point of beginning: thence North 203 feet; thence West 600 feet more or less to the margin of Mobile Bay thence Southerly down the bay till the Southing equals 203 feet thence E 400 feet more or less to the point of beginning, with all riparian rights appertaining.

Both parcels together containing 60 acres more or less and lying in Section 39 Charles Stewart Grant all in Baldwin County Alabama.

Not including the following described lands in the possession of Henry Phillips and Bessie Phillips and excepted from the parcels described above, said exception being described as follows:

From the Southwest corner of Fractional Section 8 T 5 S, R 2 E, run North 1295.5 feet and west 7867 feet to the west side of the State Highway for a point of beginning; thence West 207 feet; thence North 416.5 feet; thence East 76 feet to the west margin of the aforesaid highway; thence south 170 30' east 436.7 feet to the beginning. Lots contains 3/4 acres, more or less in Baldwin County Alabama.

The Defendants are reputed to claim some right, title to, interest# in, or encumbrance on said land. No suit is pending to force or test the validity of the title to the said land, or the claim or encumbrance.

Your Claimants prays this Bill of Complaint against the said Defendants to settle the title to the said land and to clear up all doubts or disputes concerning the same.

Your Complainants here and now make call upon the Respondents and each of them to set forth and specify their claim, title, interest in or encumbrance to or upon the said land or any part thereof and how and by what instrument the same is derived and created.

PRAYER FOR PROCESS

Your Complainants pray that the said Elvira Trione and Angelo Trione be made parties to this Bill of Complaint and that the usual process of this honorable court be forthwith issued to them and to each of them.

PRAYER FOR RELIEF

Your Complainants further pray that upon the final hearing of this cause, your Honor will grant and enter a Decree against the Defendants Elvira Trione and Angelo Trione, quieting title to the said land and adjudging and decreeing that your Complainants are the owner of the land in their own right and that title to said land is in your Complainants, forever quieting your Complainants title against the said Defendants Elvira Trione and Angelo Trione and adjudging that the said ~~Respondents~~ Defendants are without right, title to, or interest in the said land and have and hold no encumbrance upon same.

Your Complainants pray for such other and general relief as they may be entitled to in equity and good conscience.

Richard J. Penning
Solicitor for Complainants.

891

RECORDED

Miss Ann 51943
P. M. Weeks
Ruef

891 891
~~877~~ PRECORDED

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT

William Yancey and

J. S. Mickelson
Plaintiffs

vs.

Elvira Trione and

Angelo Trione
Defendants

SUMMONS AND COMPLAINT

Filed 21st day of December 1942

R. Demerec Clerk
Ref

Richard J. Demerec
Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co., Bay Minette, Ala.

Defendant lives at
Daphne, Alabama
RECEIVED IN OFFICE

194

Sheriff
I have executed this summons

this Dec 22 1942
by leaving a copy with

*Elvira Trione and
Angelo Trione*

W. R. Thant Sheriff

Grady Hall Deputy Sheriff

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,
BALDWIN COUNTY

No. _____

CIRCUIT COURT BALDWIN COUNTY

December TERM, 1942

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Elvira Trione and Angelo Trione

to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against _____

Elvira Trione and Angelo Trione, Defendant

by William Yancey and J. S. Mickelson

Plaintiff

Witness my hand this 21st day of December 1942

R. J. Duck Clerk.