

E. G. LOW,

Complainant and Cross
Respondent,

VS.

J. L. STYRON,

Respondent and Cross
Complainant.

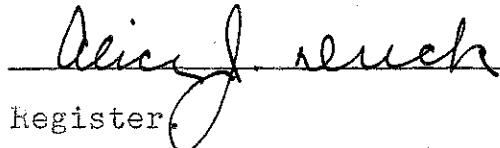
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 910.

DECREE PRO CONFESSO.

In this cause it being made to appear to the Register that Complainant and Cross Respondent's demurrer to the Respondent and Cross Complainant's Cross Bill was sustained on July 14, 1947 and the said Respondent and Cross Complainant was allowed twenty days in which to file further pleadings in this cause, that the twenty days have expired and the Respondent and Cross Complainant has not filed any further pleadings in the said cause:

It is, Therefore, on motion of the Complainant and Cross Respondent ordered and decreed that the said Bill of Complaint in this cause, be and it hereby is, in all things, taken as confessed against the said J. L. Styron, Respondent and Cross Complainant aforesaid.

WITNESS my hand this 9 day of August, 1947.


Register.

E. G. LOW,

Complainant and Cross
Respondent,

VS.

J. L. STYRON,

Respondent and Cross
Complainant.

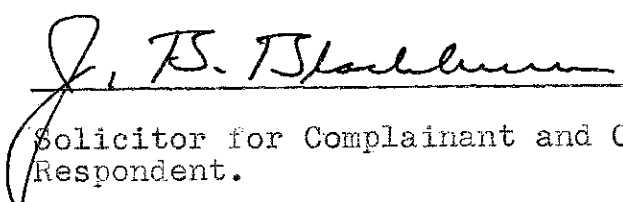
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 910.

MOTION FOR DECREE PRO CONFESSO.

Now comes the Complainant and Cross Respondent, by his Solicitor, and shows unto the Register that Complainant and Cross Respondent's demurrer to Respondent and Cross Complainant's Cross Bill in this cause was sustained on July 14, 1947 and the Respondent and Cross Complainant was allowed twenty days in which to file further pleadings in said cause; that said twenty day period has expired and the said Respondent and Cross Complainant has failed to file any further pleadings in said cause.

WHEREFORE, Complainant and Cross Respondent moves that a Decree Pro Confesso be made and entered against the said Respondent and Cross Complainant.

DATED this 9 day of August, 1947.


Solicitor for Complainant and Cross
Respondent.

E. G. LOWE,
Complainant,
VS.
J. L. STYRON,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 910.

DEMURRER

Now comes the Complainant and Cross Respondent, E. G. Lowe, and Cross Respondents, Amos Garrett and W. L. Hammond, each separately and severally, and demur to the Cross Bill filed against them in this cause and to each and every paragraph thereof, and as grounds therefor set down and assign separately and severally, the following:

1. There is no equity in the Cross Bill.
2. There is a misjoinder of parties respondent in the Cross Bill.
3. It affirmatively appears from the said Cross Bill that the Cross Respondents, Amos Garrett and W. L. Hammond, are sureties on the Plaintiff's Replevy Bond heretofore filed in this cause and no facts are alleged to show any liability on the said Amos Garrett and W. L. Hammond.
4. It affirmatively appears from the said Cross Bill that the Cross Respondents, Amos Garrett and W. L. Hammond, are sureties on the Plaintiff's Replevy Bond heretofore filed in this cause and no facts are alleged to show that the condition of the said bond has been broken.
5. It affirmatively appears from the said Cross Bill that there is no liability on the said Amos Garrett and W. L. Hammond until the condition of the Plaintiff's Replevy Bond, a copy of which is attached to the said Cross Bill, has been broken and no facts are alleged to show that the condition of the said bond has been broken.
6. No sufficient facts are alleged to show liability on the part of the said Amos Garrett and W. L. Hammond.
7. The allegations of the said Cross Bill are but conclusions of the pleader.


J. B. Blackburn
Solicitor for Cross Respondents.

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Amos Garrett and W. L. Hammond to appear within thirty days from the service of this writ in the Circuit Court, Equity Side, to be held for said county at the place of holding same, and then and there demur, plead to or answer the Cross-Bill of Complaint of J. L. Styron.

Witness my hand this 19th day of June, 1944.



Register of the Circuit Court
of Baldwin County, Alabama.
In Equity.

E. G. LOW
Complainant
-vs-
J. L. STYRON
Respondant

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

ANSWER AND CROSS BILL

Now comes the respondent, J. L. Styron, who is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and, for answer to the bill of complaint filed against him herein by E. G. Low, the complainant, and by way of cross-bill against said complainant and against Amos Garrett and W. L. Hammond, alleges and states to the Court as follows:

1. The said complainant, the said Amos Garrett and the said W. L. Hammond are residents of Baldwin County, Alabama, and are each over the age of twenty-one years. Respondent admits the allegations of paragraph 1 of said bill of complaint.

2. Respondent and cross-complainant admits the allegations of paragraph 2 of said bill of complaint and attaches hereto, marks the same Exhibit "A" and makes the same a part hereof as if here fully set out, a copy of the bond or replevy bond, mentioned in said paragraph 2, and filed by said complainant on March 18, 1942, in the Circuit Court of Baldwin County, Alabama, Law Side, in said cause of E. G. Low, plaintiff, versus this respondent and cross-complainant.

3. This respondent admits the allegations of paragraph 3 of said bill of complaint but alleges that defendant also filed in said cause at the hearing thereof the pleading or suggestion a copy of which is hereto attached, marked Exhibit "B" and made a part hereof as if here fully set out.

4. This respondent alleges that he did execute to complainant a note or conditional sales contract covering the property described as follows:

One McCormick-Deering Tractor F12 Farmall No. F552595
One McCormick-Deering Plow No. 90, 18 inch

One McCormick- Deering Tractor Cultivator Two-row No. H.
complete with four disc hillers and center
shovel attachments

One McCormick-Deering Meadors 20" Grist Mill

One Five Foot Tractor Disc Harrow, complete at and for the
quoted price of \$725.00 as follows:

Tractor and plow.....	\$500.00
Cultivator	125.00
Disc	50.00
Grist Mill	50.00

said purchase was made early in 1940 and respondent made a cash pay -
ment to complainant in the sum of \$125.00, leaving a balance due of
\$600.00 and on the 8th day of February, 1941, respondent paid to
complainant the further sum of \$200.00 on the purchase price there-
of making a balance due of \$400.00. Respondent therefore alleges that
the said amount of \$502.40 is incorrect and that the true balance
owing by respondent to complainant was and is the sum of \$400.00.
The understanding between respondent and complainant was that only
the above described personal property was to stand as security for
payment thereof and if any note or conditional sales contract con-
tained the following recital. "First payment to be secured by 12
head of yearling that are being field feed at this time." Such re-
cital was embodied in said contract without the knowledge or conse
sent of respondent/^{and he}denies all of the other allegation of paragraph
4 of said bill of complaint.

5. Respondent demurs to paragraph 5 of said bill of complaint
and assigns as ground therefor that complainant seeks to enforce
a legal remedy in and equity court without showing any equitable
right thereto. Respondent alleges that he has been informed and
believes, and upon such information and belief states, that all of
the personal property described in paragraph 5 hereof has been sold
and disposed of by complainant, after the filing of said replevy
bond and before the filing hereof, without the knowledge or consent
of respondent and contrary to law, so that respondent and the said
Amos Garrett and . L. Hammond are liable for

a Breach of said bond.


6. Respondent denies all of the allegation of paragraph 6 of said bill of complaint and avers that there was no intention on the part of respondent to give security upon the said twelve head of yearlings as herein before stated.

7. Respondent alleges that the reasonable market value of the said Personal property sold by complainant was and is \$1250.00.

8. Respondent agrees to do equity in the premises.

WHEREFORE; the premises considered this respondent and cross-complainant prays that the said Amos Garrett and W. L. Hammond be made parties to this cause and that proper process issue from this Court for service upon complainant, and the said Amos Garrett and the said W. L. Hammond.

And he, the said respondent, prays that your Honor and the Court ascertain and fix the value of the said personal property and will ascertain and fix and deduct therefrom the amount due and owing by respondent to complainant and will order and decree that the said E. G. Low, Amos Garrett and W. L. Hammond pay to respondent such balance as your Honor and the Court may ascertain or find due to respondent and respondent prays for such other, further and different relief, orders and decrees as he may be entitled to, the premises considered.


Solicitor for respondent,
J. L. Styron

E. G. Low,)	
)	
Plaintiff,)	IN THE CIRCUIT COURT OF
)	
vs.)	BALDWIN COUNTY, ALABAMA.
)	
J. L. Stryon,)	AT LAW. NUMBER 739.
)	
Defendant.)	

REPLEVY BOND OF PLAINTIFF.

KNOW ALL MEN BY THESE PRESENTS: That E. G. Low, as Principal, and the undersigned as Sureties, are held and firmly bound unto J. L. Stryon in the sum of Eight Hundred Dollars (\$800.00), for the payment of which well and truly to be made, we jointly and severally bind ourselves, our and each of our heirs, successors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 17th day of March, 1942.

The condition of the above obligation is such that whereas the said E. G. Low did on the 10th day of March, 1942, sue out of the Circuit Court of Baldwin County, Alabama, a writ in detinue, directed to any sheriff of the State of Alabama, commanding him to take into his possession the following described property, to-wit:

- 1-McCormick-Deering Tractor F 12 Farmall #F552595
- 1-McCormick-Deering Tractor Plow #90-18 inch
- 1-McCormick-Deering Tractor Cultivator two-row #215 H complete with 4 Disc Hillers and Center shovel attachments.
- 1-McCormick-Deering Meadows 20" Grist Mill
- 1-5ft. Tractor Disc Harrow complete
- 12 head of yearlings

which said writ was placed in the Hands of W. R. Stuart, as Sheriff of Baldwin County, Alabama, on March 10, 1942 and executed by him on March 11, 1942, by taking into his possession the following property, to-wit:

- 1-McCormick-Deering Tractor F 12 #F552595
- 1-McCormick-Deering Tractor Plow #90-18 inch
- 1-McCormick-Deering Tractor Cultivator two-row #215 H complete with 4 Disc Hillers and center shovel attachments.
- 1-McCormick-Deering Meadows 20" Grist Mill.
- 1-5 ft. Tractor Disc Harrow complete
- 7 Head of yearlings

AND WHEREAS, the said J. L. Stryon, the Defendant in the said Writ has failed and neglected for the space of five days from the execution of the said Writ, to give bond and take possession of the said property as authorized by law.

NOW, if the said E. G. Low, upon his failing in the said suit shall deliver the said property to the Defendant within thirty days after judgment and pay damages for the detention of the property and costs of this suit, then this obligation to be void, otherwise to remain in full force and effect.

E. G. LOW (SEAL)

AMOS GARRETT (SEAL)

W. L. HAMMOND (SEAL)

Taken and approved this 18th
day of March, 1942.

W. R. STUART
Sheriff, Baldwin County, Alabama

Exhibit "A"

ORDERED, ADJUDGED AND DECREED this 23rd day of

July, 1943.

A. W. Stare

Judge.

RECORDED

NOTICE OF PENDENCY OF BILL OF COMPLAINT.

W. E. WOODARD, 63

Complainant,

VS.

LANDS HERINAFTER DESCRIBED AND UNKNOWN HEIRS OF FREDERICK GEISER, et al, *Mills' Estate, 35*

James W. Grant Respondents.

John W. Grant

Alford Grant 50

Ruby Grant

Simon Grant

James Smith 15

Hydon Welling 45

3-31-43

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

IN EQUITY.

STATE OF ALABAMA, BALDWIN COUNTY

MAR 31 1943

Filed *1045 AM*

Recorded *Book 1 page 78* and I certify that the following Privilege Tax has been paid.

Deed Tax

Mortgage Tax

Judge of Probate

APR 29 1943

Filed *R. S. D. [Signature]* 100

Clark Register

APPLICATION

W. H. WOODARD,

Complainant,

VS.

CERTAIN LANDS AND THE HEIRS OF
FREDERICK GEISER, Deceased,
Respondents.

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

NUMBER _____

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

Filed July 12, 1945

Complainant moves for an oral examination of the following
witnesses: W. H. Woodard, A. A. Steele, T. E. Bell.
The examination of the said witnesses to be before the Commissioner
appointed by the Registrar, in Baldwin County, Alabama, at ten o'clock
A. M. on Tuesday, July 20, 1945. One S. Wilson is suggested as a
suitable person to act as such Commissioner.
Filed this 12th day of July, 1945.

Collector for Complainant.

The foregoing Application coming on to be heard on this
date, notice to the adverse parties having been given for three days
by an entry on the Green Book of the Registrar, the said Application
is hereby granted and it is ORDERED that the said examination of the
witnesses be had before One S. Wilson, Commissioner in Baldwin County,
Alabama on Tuesday, July 20, 1945.
Filed this 12th day of July, 1945.

Registrar.

RECORDED
MOTION

W. E. WOODARD,

Complainant,

VS.

CERTAIN LANDS AND THE UNKNOWN
HEIRS OF FREDERICK GEISER, De-
ceased, et al,
Respondents.

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

IN EQUITY. NUMBER _____.

IN EQUITY. NUMBER _____.

IN EQUITY. NUMBER _____.