

2664

STATE OF ALABAMA

. . . IN THE CIRCUIT COURT - IN EQUITY . . .

BALDWIN COUNTY

TO: E T H Y L E L E O N A R D

WHEREAS, one Annie P. Wilson has exhibited her Bill of Complaint, in equity, in the Circuit Court of Baldwin County, Alabama, and has obtained from the Honorable Telfair J. Mashburn, Jr. an order for the issuance of an injunction to enjoin you as herein-after mentioned, and;

WHEREAS, the said Annie P. Wilson has, in accordance with said order, entered into bond with surety in the sum of \$500.00, payable to you, and approved by the Register of said Court, and conditioned according to law;

NOW, THEREFORE, you, the said Ethyle Leonard, are hereby enjoined from interfering with the possession of the said Annie P. Wilson to her personal property contained in the dwelling located and being on the following described real estate in Baldwin County, Alabama, to-wit:

Lots thirteen (13), fourteen (14), fifteen (15) and sixteen (16) of Block "B"; Lots twenty-five (25) through fifty-two (52), inclusive, of Block "D"; all of Block "E"; all of Block "F"; all of Block "G"; and all of Block "H" of Wilson Addition to the Town of Foley, located in the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section twenty (20), Township seven (7) South, Range four (4) East and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 3, Page 7,

and this injunction you are required to obey under the penalties of law until the further order of this Court.

WITNESS my hand this 1st day of June, 1951.

Alice H. Marsh
Register

TO THE SHERIFF OF BALDWIN COUNTY:

You are hereby commanded to execute this writ and return the same with your endorsement thereon to this Court with all convenient speed.

Alice H. Marsh
Register

Received in Sheriff's Office
this 1 day of June, 1951
TAYLOR WILKINS, Sheriff

Executed 6-1-51 By
serving copy of the
within writ on
Ethyle Leonard

Taylor Wilkins Sheriff
J. F. Hall D.S.

RECORDED

NO 26 64

ANNIE P. WILSON,
Complainant,

-VS-

ETHYLE LEONARD,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Filed 6-1-51
Annie French
T. J. French

STATE OF ALABAMA

BALDWIN COUNTY

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

KNOW ALL MEN BY THESE PRESENTS:- That we, ANNIE P. WILSON, as Principal, and _____, as Surety, are held and firmly bound unto ETHYLE LEONARD in the sum of Five Hundred Dollars (\$500.00), for the payment of which to the said ETHYLE LEONARD, we bind ourselves, our heirs, executors and administrators, jointly and severally.

Sealed with our seals and dated this the _____ day of June, 1951.

The condition of the above obligation is such that, whereas, said ANNIE P. WILSON has this day prayed for and obtained an order for the issuance of an injunction from the Honorable Telfair J. Mashburn, Jr., Judge of said Court, to restrain and enjoin the said ETHYLE LEONARD from withholding possession of the personal property of the said Annie P. Wilson from the said ANNIE P. WILSON.

Now, therefore, if the said ANNIE P. WILSON, or her heirs, executors or administrators, shall pay or cause to be paid all damages and costs which any person may sustain by the suing out of such injunction, if the same is dissolved by the said ETHYLE LEONARD, then this obligation shall be void, otherwise it shall be and remain of full force and effect.

Annie P. Wilson SEAL
as Principal

H. Steadham SEAL
as Surety

Taken and approved this

1st day of June, 1951.

Herbert H. Hinkle
Register

ANNIE P. WILSON,) (IN THE CIRCUIT COURT OF
Complainant,) (BALDWIN COUNTY, ALABAMA
-vs-) (IN EQUITY
ETHYLE LEONARD,) (
Respondent.) (

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes your complainant and exhibits this her Bill of Complaint for injunction against Ethyle Leonard and respectfully shows unto your Honor and to this Court as follows:-

1. That complainant was in the rightful possession of certain real estate in Baldwin County, Alabama, described as follows, viz:

Lots thirteen (13), fourteen (14), fifteen (15) and sixteen (16) of Block "B"; Lots twenty-five (25) through fifty-two (52), inclusive, of Block "D"; all of Block "E"; all of Block "F"; all of Block "G"; and all of Block "H" of Wilson Addition to the Town of Foley, located in the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section twenty (20), Township seven (7) South, Range four (4) East and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 3, Page 7,

which said real estate was being purchased from V. R. Inzer, the owner thereof, under and by virtue of a contract and agreement in writing.

2. That on or about the 10th day of February, 1951, your complainant entered into a contract and agreement with the respondent whereby the respondent was to convey certain properties to the complainant and was to pay over to the complainant certain sums of money, and complainant agreed to assign to the respondent all her right, title and interest in and to said real estate hereinabove described. Complainant further shows that the respondent conveyed the real estate as she had agreed to do and paid over the sums as provided in the contract and agreement between your complainant and the respondent and that the complainant transferred to the respondent her right, title and interest in and to the real estate in Baldwin County, Alabama, hereinabove described.

3. Complainant further shows unto the Court that on or about the 15th day of May, 1951, the respondent came to the property hereinabove described and took up occupancy of a part thereof

by residing in a trailer which was located on said land. Complainant further shows unto the Court that she and her husband were in the actual possession of the dwelling located on said property, using it as their place of residence, and having therein their clothes and other personal effects and household furniture, fixtures and equipment which are the property of the complainant.

4. Complainant further shows unto the Court that on or about the 28th day of May, 1951, the respondent, for the first time, demanded possession of the dwelling located on the premises and directed the complainant to remove her belongings therefrom. Complainant shows unto the Court that on the 31st day of May, 1951, that a truck came to the property hereinabove described for the purpose of removing therefrom her property and when complainant and her husband walked into the yard in front of the dwelling the respondent went into the dwelling, which was occupied at the time by your complainant and her husband, locked the door and refused to allow the complainant to enter therein and remove therefrom her furniture, personal effects, etc.

5. Complainant further shows unto the Court that the respondent continues to refuse to allow her to enter on the premises and continues to restrain and prevent the complainant from having possession of her property to which she is rightfully entitled and forcibly prevents her from entering into the premises occupied by the complainant and her husband as a dwelling or residence.

PRAYER FOR PROCESS AND RELIEF

TO THE END THEREFORE that the complainant may have possession of her property which is being wrongfully withheld from her by the respondent, complainant prays that the respondent be restrained and enjoined from interfering with complainant's possession of said personal property and that the complainant have and be granted such other and further relief to which she may be entitled, as in duty bound she will ever pray, and that relief be granted temporarily by an injunction pendente lite and that after notice to the respondent

dent as required by law she be permanently enjoined from unlawfully interfering with complainant's right of possession of her property.

Annie P. Wilson
~~Solicitor for~~ Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Cecil G. Chason, a Notary Public in and for said County in said State, personally appeared Annie P. Wilson, who, after being by me first duly and legally sworn, deposes and says that her name is Annie P. Wilson; that she is the complainant in the foregoing complaint for injunctive relief; that the matters and facts alleged therein are true and correct.

Annie P. Wilson

Sworn to and subscribed before me, a Notary Public, on this the 12th day of June, 1951.

Cecil G. Chason
Notary Public, Baldwin County
State of Alabama

TO ALICE J. DUCK, REGISTER

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY

This cause being submitted to the Court upon application of the complainant for injunction pendente lite as prayed for in the original Bill and for permanent injunction thereafter and, upon consideration thereof, the Court being of the opinion that the same should be granted, it is, therefore, ordered, adjudged and decreed by the Court that, upon the complainant entering into good and sufficient bond conditioned as provided by law in the sum of Five Hundred Dollars (\$500.00), the same to be approved by the Register of this Court, that the Register issue a temporary writ of injunction as prayed for in the foregoing Bill of Company and that a hearing be set at Chambers on the 12th day of June, 1951.

Let due notice issue to the respondent.

(4)

Done this the 12th day of June, 1951.

Jeffrey A. Masbury, Jr.
Circuit Judge