

1146

MAGNOLIA SPRINGS LAND COMPANY,
A Corporation,

Complainant,

VS.

A. M. RAY,

Respondent.

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

FINAL DECREE

This cause coming on to be heard on this date is submitted for Final Decree on behalf of the Complainant on the original Bill of Complaint, Injunction, Motion to Dissolve Injunction, Amended Answer, the Testimony of the Complainant taken in open court, the decree heretofore rendered in this cause on the 14th day of July, 1947, and the Register's Report on Reference, whereupon, it is, therefore, Ordered, Adjudged and Decreed by the Court as follows:

1. The Register's Report, dated August 22, 1947 and heretofore filed in this cause, is hereby in all respects confirmed.

2. The Register of this Court shall pay to the Respondent, A. M. Ray, the sum of Fifty-eight and 32/100 Dollars (\$58.32), being the amount heretofore paid into court by the Complainant to redeem the property involved in this proceeding, and take his receipt therefor.

3. The Complainant, Magnolia Springs Land Company, a Corporation, having paid the amount necessary to redeem the property involved in this proceeding from the tax sale described in the Bill of Complaint in this cause, all right, title and interest which the Respondent, A. M. Ray, had in and to the property involved in this proceeding, namely, South Half of the South Half of the Southeast Quarter of the Southwest Quarter of Section 26, Township 7 South, Range 4 East in Baldwin County, Alabama, at the time of the filing of this proceeding and which he has on this date, is hereby divested out of the said Respondent, A. M. Ray, and vested in the Complainant, Magnolia Springs Land Company, a Corporation, as fully and completely as the said Respondent could or ought to convey the said property.

4. The Register of this Court shall, within thirty

days from the rendition of this decree, file a certified copy here-
of in the office of the Judge of Probate of Baldwin County, Alabama
to be recorded and tax the cost of such recording as a part of the
costs of this proceeding.

5. The costs of this proceeding are hereby taxed
against the Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 30th day
of September, 1947.



Judge.

MAGNOLIA SPRINGS LAND COMPANY,
A CORPORATION,

Complainant,

VS.

A. M. RAY,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1146.

DECREE.

This cause coming on to be heard on this date, which is the date heretofore set by this Court for calling the Equity Docket hereof, is submitted on the Original Bill of Complaint, Writ of Injunction, Notice to Dissolve Injunction, Amended Answer and the Testimony of the Complainant taken in open Court from which it appears that the tax sale under which the Respondent claims title is void and that the Complainant is entitled to the relief prayed for by it in its said Bill of Complaint, WHEREUPON, it is therefore Ordered, Adjudged and Decreed by the Court, as follows:

1. The tax sale held on June 13, 1932 in the name of W. M. Daniel, Jr. which is recorded in Sales Book 9 at page 194, Baldwin County, Alabama Records is void and of no effect because the Tax Collector of Baldwin County, Alabama, in his report to the Probate Judge of Baldwin County, Alabama, of his inability to collect the taxes assessed against the said property without a sale of the same, did not specify the amount of taxes due the State, the amount of taxes due Baldwin County and any special tax district; because the decree of said recorded in Delinquent Docket 28 at page 87 was not signed by the Probate Judge of Baldwin County, Alabama and because advertisement of the said tax sale was commenced before the end of the term in which the alleged decree of sale was rendered.

2. The tax deed from the State Land Commissioner of Alabama to A. M. Ray, dated April 12, 1944 and recorded in Deed Book 85 at pages 3 and 4, Baldwin County, Alabama is void and the Complainant is entitled to redeem the property described in the said

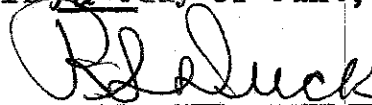
STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon A. M. Ray 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, then and there to demur, plead to or answer the Bill of Complaint of Magnolia Springs Land Company, a Corporation.

WITNESS my hand this 14 day of June, 1944.



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

The Respondent, A. M. Ray, resides
at Foley, Alabama, and is employed
at Barin Field.

report to the Probate Judge of Baldwin County, Alabama, of his inability to collect the taxes assessed against the property without a sale of the same, did not anywhere in said report or in connection therewith in the delinquent tax list required by Section 250 of the 1929 Revenue Code of Alabama, specify the amount of taxes due the State, the amount of taxes due Baldwin County and to any special tax district.

(b) There was no valid decree for sale of the said property rendered against the said property because the attempted Decree of the Probate Court of Baldwin County, Alabama, which appears in Delinquent Docket Number 28 at page 87 is entirely void because it was not signed by the Probate Judge of Baldwin County, Alabama. The only signature which appears on the said Decree is a rubber stamp which purports to be a facsimile of the signature of the said Probate Judge.

(c) The alleged Decree of Sale against the said property purports to have been made and entered on May 9, 1932 and the Tax Collector of Baldwin County, Alabama commenced advertisement of the tax sale on May 12, 1932 and did not wait until the end of the term of the Probate Court in which the said Decree was rendered to commence advertisement of the tax sale as required by Section 259 of the 1929 Revenue Code of Alabama.

(d) The said property was redeemed by your Orator by payment made to the Probate Judge of Baldwin County, Alabama on April 17, 1944, which said redemption was made before the tax deed under which the Respondent claims title to the said property was delivered by the State Land Commissioner of Alabama to the said Respondent.

4. The Respondent has notified your Orator in writing that he has taken possession of the property described in the said tax deed but has done nothing to evidence such possession except to post a "No Trespassing" notice thereon and has, through his wife, further notified your Orator that he expects to cut and remove the timber growing on the said property.

5. Your Orator offers to do equity and pay the Respondent such amounts as the law allows under Section 283, Title 51 of the 1940 Code of Alabama.

PRAYER FOR PROCESS

Your Orator prays that the Court will take jurisdiction of the cause made by this Bill of Complaint and that due notice thereof be given the Respondent, A. M. Ray, in the form and manner prescribed by law, requiring him to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this honorable Court.

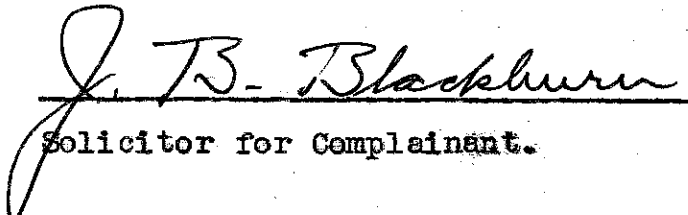
PRAYER FOR RELIEF

Your Orator further prays for the following separate and several relief:

1. That pending a final hearing and determination of the issues of this suit, there be issued a temporary writ of injunction or restraining order according to the rules and practice of this Honorable Court, restraining and enjoining the Respondent, A. M. Ray, from cutting, removing or in any way disposing of all or any part of the timber on all or any part of the said lands and from doing anything or taking any action which would disturb the status quo of the said property.

2. That a proper Decree be made and entered directing that your Orator is entitled to redeem the said property from the alleged tax sale against it and that this cause be referred to the Register of this Court who shall be instructed and directed to ascertain the amount to which the Respondent is entitled under Section 283, Title 51 of the 1940 Code of Alabama on redemption of the said property.

3. Your Orator prays for such other, further and general relief as it may be equitably entitled to the premises considered.


Solicitor for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared J. B. Blackburn, who, after being by me first duly and legally sworn, deposes and says: That he is over twenty-one years of age, a resident of Baldwin County, Alabama, and is solicitor for the Complainant in this cause. Affiant further deposes and says that the matters and facts alleged in the foregoing Bill of Complaint are true.

J. B. Blackburn

Sworn to and subscribed before me
on this the 16th day of June, 1944.

Os S. Nelson

Notary Public, State of Alabama at
Large.

TO R. S. DUCK, AS REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA:

On Complainant entering into bond in the sum of \$ 250.00
with sufficient surety to be approved by you as Register, condition-
ed as required by law, let an injunction issue as prayed for in the
foregoing Bill of Complaint.

Given under my hand this 16th day of June, 1944.

J. B. Blackburn
A Judge of the Circuit Court of Mobile
County, Alabama.

May 14, 1952

Received of - _____

Alice J. Hester - Register

Fifty-eight $\frac{32}{100}$ dollars -

By order of a decree in case
No 1146 - Magnolia Springs Land Co vs A. M. Ray.

signed

A. M. Ray

MAGNOLIA SPRINGS LAND COMPANY,
a Corporation,

Complainant,

VS.

A. M. RAY,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1146.

NOTICE OF REFERENCE.

TO MAGNOLIA SPRINGS LAND COMPANY, A CORPORATION AND A. M. RAY:

You and each of you are hereby notified that a reference will be held at my office in Bay Minette, Alabama at 10:00 o'clock A. M. on Thursday, August 7, 1947 for the purpose of determining the amount the Complainant will be required to pay to the Respondent to redeem the property involved in this proceeding from tax sale to be computed by Title 51, Section 283 of the 1940 Code of Alabama.

Dated this 1st day of August, 1947.

Alice J. Much
Register.

Service accepted and further notice
waived this 1st day of August, 1947.

MAGNOLIA SPRINGS LAND COMPANY, a Corporation

BY J. B. Blakelum
As its Solicitor.

The Magnolia Springs Land Company,)
a corporation, Plaintiff)

v.)

A. M. Ray, Defendant.)

In the Circuit Court of Baldwin
County, Alabama, Sitting in Equity.

And now comes the defendant, A. M. Ray, reserving all right of exception to said bill, for an answer thereto says:

1. He admits that the Magnolia Springs Land Company is a corporation organized and existing under the laws of the State of Alabama; that its principal place of business is at Foley, Alabama; that the Respondent is over twenty-one years of age and a resident of Foley, Alabama.

2. Further answering, this defendant denies that the plaintiff owns the South Half of South Half of Southeast Quarter of Southwest Quarter of Section 26, Township 7 South, Range 4 East, in Baldwin County, Alabama.

3. This defendant, further answering, admits that the tax sale under which the said property was held, on June 13, 1932, in the name of W. M. Daniel, Jr., is void.

(d) Further answering, this defendant denies that the said property was redeemed by the plaintiff on April 17, 1944.

4. Further answering, this defendant admits that he has taken possession of the property described in the said tax deed. And further answering, denies that he has done nothing to evidence such possession except to post a "No Trespassing" notice thereon. And further answering, denies that he has notified the plaintiff, through his wife, of his future use of said property.

And having fully answered, the defendant prays that said bill of complaint be dismissed with costs.

A M Ray

A. M. RAY

State of Alabama |
Baldwin County |

Before Me, the undersigned authority within and for said County in said State, personally appeared A. M. Ray, who, after being by me first duly and legally sworn, says that the matters and facts alleged in the foregoing answer to Bill of Complaint are true.

A M Ray

A. M. RAY

Sworn to and subscribed before me
on this, the 20 day of May, 1945.

W. E. Rooney

MAGNOLIA SPRINGS LAND COMPANY,

Complainant,

-VS-

A. M. RAY,

Respondent.

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

TESTIMONY TAKEN IN OPEN COURT BEFORE HON. F. W. HARE, JUDGE, ON JULY 14, 1947.

TESTIMONY OF MR. GARRETT R. FOLEY, WHO BEING FIRST DULY SWORN:

QUE: Is this Mr. Garrett R. Foley ?

ANS: Yes, sir.

QUE: What are your connections with the Magnolia Springs Land Company?

ANS: President.

QUE: I will ask you if you, as President of your Company, are acquainted with the lands involved in this suit, which lands were conveyed to the Company by your father?

ANS: Yes, sir.

QUE: By deed dated June 12, 1907?

ANS: Yes, sir.

MR. BLACKBURN: We offer in evidence certified copy of deed, John B. Foley and wife, Annie E. Foley to Magnolia Springs Land Company, dated June 12, 1907 and recorded in Deed Record 12 N. S. pages 2-3 and ask that the same be identified as Complainant's Exhibit 1.

QUE: Later on did you contract to sell this land to Wm. Daniel, Jr.?

ANS: Yes, sir.

QUE: Did he forfeit his contract?

ANS: Yes, sir.

QUE: And you cancelled it?

ANS: Yes, sir.

QUE: Is this property under common fence?

ANS: Yes, sir.

QUE: Owned by your Company at the time the suit was filed?

ANS: Yes.

QUE: Owned by your Company Now?

ANS: Yes, sir.

QUE: At the time the suit was filed a part of the lands were in cultivation?

ANS: Yes, sir.

QUE: Part in pine timber?

ANS: Yes, sir.

QUE: After Mr. Ray got the tax deed did he go in and put up "No Trespassing" signs?

ANS: Yes, sir.

QUE: Notified you through his wife that he was going to cut the timber?

ANS: Yes, sir.

QUE: You later secured this injunction?

ANS: Yes.

MR. BLACKBURN: We offer in evidence certified copy of tax deed from State land Commissioner of Alabama, to A. M. Ray, dated 12th day of April 1942, and recorded in Deed Book 85 N.S. pages 3-4 and ask that the same be identified as Complainant's Exhibit 2.

MR. BLACKBURN: We also offer in evidence certified copy of delinquent tax docket of Baldwin County, Alabama, which is recorded in delinquent tax docket 28 at page 97, and ask that the same be identified as Complainant's exhibit 3.

MR. BLACKBURN: We also offer in evidence certified copy of tax deed to State of Alabama, which is recorded in Sales Book 9 at page 195, and ask that the same be identified as Complainant's Exhibit 4.

QUE: Mr. Foley, I will ask you if you came up to Bay Minette, or some one came for your Company, and redeemed this property through the Probate Court?

ANS: Yes, sir.

QUE: At that time there was no deed on record to the Mr. A. M. Ray?

ANS: That is right.

Louise Danbury
Official Court Reporter

Know all men by these presents, that John B. Foley and Anna E. Foley, his wife, for and in consideration of the sum of one dollar (\$1.00) and other valuable considerations, to them in hand paid by the Magnolia Springs Land Company, do hereby bargain, sell, convey and grant unto the said Magnolia Springs Land Co., this heirs and assigns, forever, the following described property, to-wit:

South half of the northeast quarter ($S\frac{1}{2}$ of the $NE\frac{1}{4}$), west half of south-east quarter ($W\frac{1}{2}$ of $SE\frac{1}{4}$) and southwest quarter ($SW\frac{1}{4}$ of section three (3); North half ($N\frac{1}{2}$), west half of southeast quarter ($W\frac{1}{2}$ of $SE\frac{1}{4}$), north half of southwest quarter ($N\frac{1}{2}$ of $SW\frac{1}{4}$), and southeast quarter of southwest quarter ($SE\frac{1}{4}$ of $SW\frac{1}{4}$) of section ten 10; Northwest quarter ($NW\frac{1}{4}$), Southeast quarter ($SE\frac{1}{4}$) and east half of the southwest quarter ($E\frac{1}{2}$ of $SW\frac{1}{4}$) of section twenty-six (26); Northeast quarter, east half of northwest quarter ($E\frac{1}{2}$ of $NW\frac{1}{4}$), southwest quarter of northwest quarter ($SW\frac{1}{4}$ of $NW\frac{1}{4}$), and both south half ($S\frac{1}{2}$) of section thirty five (35): All of Section thirty-six (36), Except: one hundred and eighty (180) acres described as follows Viz-Commencing at a post on the Township line, 2 chains east of the South east corner of the southeast quarter of the southwest quarter ($SE\frac{1}{4}$ of $SW\frac{1}{4}$) of section thirty six (36) in township seven (7) south range four (4) East: Thence North with the variation of the section line sixty (60) chains to a post: Thence east with the variation of the section line thirty (30) chains to a post; thence south with the variation of section line sixty (60) chains to the Township line; thence west on the Township line to place of Beginning. All in township seven (7) south, range four (4) east, Baldwin County, State of Alabama, and containing two thousand two hundred and ninety-one (2,291.18) $18/100$ acres, more or less. Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, free from all exemptions and right of homestead. And they covenant that they are Well seized of the said property, and have a good right to convey the same; that it is free of incumbrance and that they, their successors and assigns, the said grantee, its heirs executors, administrators and assigns, in the quiet and peaceable possession and enjoyment thereof, against all persons lawfully claiming the same, shall and will forever warrant and defend.

In Witness Whereof, the said John B. Foley and Anna E. Foley, have hereunto set their hands and seals, this 12th day of June, A.D. 1907.

Witnesses:

John B. Foley

L. Knudson

Anna E. Foley

George H. Jamison

THE STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS: THAT WHEREAS, on 9 day of May, A.D. 1932, the Probate Court of Baldwin County, rendered a decree for the sale of lands hereinafter described and conveyed, for the payment of State and County taxes then due from Wm Daniel, Jr., the owner of said lands, and for the payment of the fees, costs, and expenses of and under said decree, and the sale had in execution thereof,

AND WHEREAS, Thereafter, to-wit, on the 13th day of June, 1932, under and in pursuance of said decree, said lands were regularly offered for sale by the Tax Collector of Baldwin County, for said taxes, fees, costs, and expenses and no person having bid a sufficient sum for said lands to pay the same, said lands were bid in for the State for the sum of said taxes, fees, costs, and expenses,

AND WHEREAS, the time allowed by law for the redemption of said lands has elapsed since said sale, and the same not having been redeemed, the title thereto under said sale is still in the State.

AND WHEREAS, said lands having been entered upon the books of the State Land Commissioner, and the State Land Commissioner of the State of Alabama with the approval of the Governor, has fixed the price of said land, and ascertained that the sum of Forty nine and no/100 (\$49.00) Dollars is sufficient to cover and satisfy all claims of the State and County, against said land for or on account of taxes, interest, fees, and costs, and officers fees which were due upon or have accrued against said lands, as provided for by law.

AND WHEREAS, application has been made to the State Land Commissioner of the State of Alabama by A.M. Ray to purchase said lands, and said sum of Forty-nine and no/100 (\$49.00) Dollars therefor has been paid into the State Treasury.

NOW THEREFORE, The State Land Commissioner of the State of Alabama, by virtue of and in accordance with the authority in him vested by law, with the approval of the Governor, of Alabama, and in consideration of the premises above set out, has this day granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said A.M. Ray without warranty or covenant of any kind on the part of the State, express or implied, all right and title of the State Alabama in and to said lands, described as follows:

S $\frac{1}{2}$ of S $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 26, Tp. 7S, R 4 E,

lying and being situate in said County and State, to have and to hold the same

SALES OF REAL ESTATE FOR UNPAID TAXES FOR 1931.
BY TAX COLLECTOR, BALDWIN COUNTY, ALABAMA.

TO WHOM ASSESSED

WM. DANIEL, JR.,

Assessed by--

Date of Assessed---

For Years, 19---19---

Application to purchase
6/18/35 By J.R. Montgomery

G.W. Robertson, Judge
By J.L. Kessler Clk.,

DESCRIPTION OF REAL ESTATE SOLD

S $\frac{1}{2}$ of S $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ S 26 T 7S R4E

Taxes and Fees	Amount
General State Tax	----
Special State Soldiers' Tax	----
Special State School Tax	----
General County Tax	----
Special County Bridge Tax	1.80
Special County Road Tax	----
Special County School Tax,	----
Special District School Tax	----
Dist. No. 60	
Interest,	.30
Assessor's Fee	.08
Collector's Fee	210 .50
Probate Judge's Fee	1.00
Printer's Fee	1.00
	2.32
Total	<u>7.00</u>

Advertized for three weeks in Baldwin Times Date of Sale, 6/13/32
Name of Purchaser, State of Alabama
Amount Paid, \$7.00

Delinquent Docket No28, page 87

Repld 5/1/44

COST OF REDEMPTION

	STATE	COUNTY	SCHOOL
Certificate of Redemption	.50		
Tax and Printer's Fee	2.32	.55	.96
Tax 1931	.65	.55	.90
Interest	.62	.52	.85
State Tax ---	----	---	---
Interest			
Interest Year Sold	.03	.02	.03
Interest			
Tax 1932	.33	.28	.44
Interest	.30	.25	.50
Tax 1933	.33	.28	.44
Interest	.27	.23	.36
Tax 1934	.33	.28	.44
Interest	.24	.21	.33
Tax 1935	.33	.28	.44
Interest	.22	.18	.29
All Sub Tax T.C.			
Total	<u>5.97</u>	<u>3.08</u>	<u>5.02</u>

RECEIPTS AND REMARKS

Date Redeemed, April 17, 1944

Amount Paid, \$17.07

By Whom Redeemed Magnolia Springs Land Co.

Received of Judge of Probate -----Dollars

Redemption Money, 19---

FIFTEEN FEES

Assessor's Fee,	50
Interest	--
Tax Collector's Fee	1.00
Interest	----
Probate Judge's Fee	1.00
Interest,	
Total	<u>2.50</u>

MAGNOLIA SPRINGS LAND CO.
a Corporation,

COMPLAINANT,

VS.

A. M. RAY,

RESPONDENT.

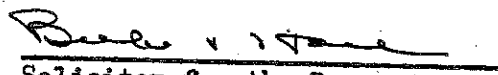
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

NO. 1146.

And now comes the Respondent and amends his answer to the original bill of complaint so that it shall read as follows:

1. The Respondent admits the allegations contained in paragraph 1.
2. The Respondent denies the allegations contained in paragraph 2 and demands strict proof of the same.
3. The Respondent for answer to paragraph 3, says that he is the owner of the property involved; that he acquired title thereto by deed from the State of Alabama; that he denies all other allegations contained in paragraph 3 and demands strict proof of the same.
4. The Respondent denies all other allegations contained in the bill of complaint not herein expressly admitted and demands strict proof of the same.


Solicitor for the Respondent.

MAGNOLIA SPRINGS LAND COMPANY,
A Corporation,

VS.

A. M. RAY,

Complainant,

Respondent.

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

REGISTER'S REPORT ON REFERENCE

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

WHEREAS, by a decree of this Court heretofore made in this cause and dated the 14th day of July, 1947, I was ordered and instructed to hold a reference to determine the amount of taxes, fees and costs which the Complainant, Magnolia Springs Land Company, a Corporation, shall be required to pay to redeem the property involved in this suit.

NOW, THEREFORE, having held a reference for the purpose of ascertaining the matters called for in the said decree of reference, I report as follows:

1. The said reference was set for hearing at my office in Bay Minette, Alabama at ten o'clock A. M. on Thursday morning, August 7, 1947, notice of which was given to the Respondent, A. M. Ray, mailed to him at Auburn, Alabama, and notice of the date set was waived by the Complainant. On August 7, 1947 the said reference was, at the request of the Complainant's Solicitor, continued until August 22, 1947, at which time it was held at my office in the court house at Bay Minette, Alabama, at which reference were present J. B. Blackburn, Solicitor for the Complainant, and the undersigned Register.

2. The amounts to be paid by the Complainant to redeem the said property are as follows:

April 12, 1944	Amount paid by Respondent for Tax deed to property.	\$49.00
	Interest on above amount to August 22, 1947.	7.93

1945 taxes paid by Respondent.63
Interest thereon to August 22, 1947.	.09
1946 taxes paid by Respondent.63
Interest thereon to August 22, 1947.	<u>.04</u>
Total principal and interest. . . .	\$58.32

3. Complainant's Solicitor, on completion of the hearing of the said reference and on being advised of the amount due by the Complainant, paid to the Register of this Court the said sum of \$58.32, being the amount to be paid the Respondent by the said Complainant to redeem the property involved in this proceeding from the tax sale under which the Respondent claims title.

All of which is respectfully submitted this 22nd day of August, 1947.

Alice J. Leach
 Register.

LA MARE
 IN THE COUNTY OF...
 REGISTERED
 AUG 22 1947

MAGNOLIA SPRINGS LAND COMPANY,
a Corporation,

Complainant,

VS.

A. M. RAY,

Respondent.

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

TO A. M. RAY:

You will take notice that on the 16th day of June, 1944, the Magnolia Springs Land Company, a Corporation, filed in the Circuit Court of Baldwin County, Alabama, Equity Side, its Bill of Complaint praying among other things for an injunction against A. M. Ray; that the said Bill of Complaint was presented to the Honorable J. Blocker Thornton, a Judge of the Circuit Court of Mobile County, Alabama, and that the said Judge made the following indorsement thereon:

"TO R. S. DUCK, AS REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

On Complainant entering into bond in the sum of \$250.00 with sufficient surety to be approved by you as Register, conditioned as required by law, let an injunction issue as prayed for in the foregoing Bill of Complaint.

Given under my hand this 16th day of June, 1944.

(Signed) J. Blocker Thornton
A Judge of the Circuit Court of
Mobile County, Alabama."

You will further take notice that the said Magnolia Springs Land Company, a Corporation, has entered into bond in the sum of \$250.00 conditioned as prescribed by law which said bond was approved by me.

NOW THEREFORE, you are hereby commanded, enjoined and restrained from cutting or removing or in any way disposing of all or any part of the timber on all or any part of the following described property in Baldwin County, Alabama, to-wit: The South Half of South Half of Southeast Quarter of Southwest Quarter of Section 26, Township 7 South Range 4 East, in Baldwin County, Alabama, and from doing anything or taking any action which would disturb the status quo of the said property pending the determination of the issues set up in the said suit.

IN WITNESS WHEREOF I, R. S. Duck, as Register of the said Court have hereunto set my hand and affixed the seal of the Court on this the 24th day of June, 1944.

R. S. Duck

Register.

IN WITNESS WHEREOF I, R. S. Duck, as Register of the said Court have hereunto set my hand and affixed the seal of the Court on this the 24th day of June, 1944.

[Faint, illegible text and signatures]

JUN 11 1944

1144

Jan 31 1894
Received
from

NOTICE OF REFERENCE

MAGNOLIA SPRINGS LAND COMPANY,
a Corporation,

Complainant,

VS.

A. M. RAY,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1146.

Filed

8-1-47

*Wesley March
A. M. Ray*

1146

Asun

Magnum Springfield

Dr. Am Ray

Delivered Oct 30 1945
Pendleton
Oregon

REGISTER'S REPORT ON REFER-
ENCE.

MAGNOLIA SPRINGS LAND COMPANY,
A Corporation,

Complainant,

VS.

A. M. RAY,

Respondent.

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

1146

WRIT OF INJUNCTION

MAGNOLIA SPRINGS LAND COMPANY,
a Corporation,

Complainant,

VS.

A. M. RAY,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Executed June 24th 19 44
by serving copy of within summons and
Complaint on

A. M. Ray

W. M. Stewart Sheriff

By Frank Hall Sheriff

*Burdson
Foley*

Register.

[Handwritten signature]

on this 24th day of June, 1944.

Court have hereto set my hand and affixed the seal of the Court

IN WITNESS WHEREOF I, R. S. DICK, as Register of the said

RECEIPT FOR REGISTERED ARTICLE No. 318

Postage fee paid. 1 class postage paid. 9-18, 1945 (Date)

Declared value, \$ none Surchage paid, \$ _____

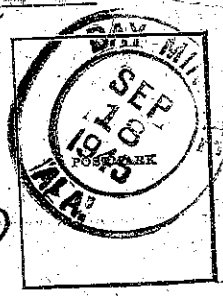
From R. S. Duck (Sender)

Addressed to A. M. Roy (Post office and State)

304 (Address)

Return receipt fee 4 (in person or order) Special delivery fee _____

Delivery restricted to addressee no Postmaster, per W.R.



W. R. STUART
PROBATE JUDGE

No. 7619 Bay Minette, Ala., 10-2, 1947

Received of Mrs. Duck

No.	Description	Deed Tax		Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
<u>7619</u>	<u>Mrs. Duck</u>					<u>125</u>	<u>1</u>	<u>25</u>	

FOR RECORD

TOTAL \$ 126.25

W. R. Stuart
Judge of Probate.

NAVAL AUXILIARY AIR STATION, BARIN FIELD
NAVAL AIR TRAINING CENTER
PENSACOLA, FLORIDA

4 July 1944.

End-1 on letter of Albert Marvin Ray, Chief
Yeoman, United States Navy, Retired,
dated 2 July 1944.

From: The Commanding Officer.
To : The Judge of the Circuit Court, Equity Side,
Bay Minette, Alabama.
Subj: Magnolia Springs Land Company, a corporation,
Complainant, VS. A. M. Ray, Respondent. In the
Circuit Court of Baldwin County, Alabama; in
Equity.

1. Forwarded.
2. Subject-named man is on active duty and serving under
my command.

William R. Campbell
2d. Col. U.S.M.C.
for L. A. ARTHUR

File No.

NAVAL AUXILIARY AIR STATION, BARIN FIELD
NAVAL AIR TRAINING CENTER
PENSACOLA, FLORIDA

2 July 1944

From: Albert Marvin RAY, Chief Yeoman, United States
Navy, Retired.
To : The Judge of the Circuit Court, Equity Side,
Bay Minette, Alabama.
Via : The Commanding Officer.

Subject: Magnolia Springs Land Company, a corporation,
Complainant, VS. A. M. Ray, Respondent. In the
Circuit Court of Baldwin County, Alabama; in
Equity.

Reference: (a) Bill of Complaint dated June 16, 1944.
(b) Article II, Section 201, The Soldiers' and
Sailors' Civil Relief Act of 1940, as amended
(Public No. 861, 76th Congress, Approved
October 17, 1940; Amended by Public No. 732,
77th Congress, Approved October 6, 1942);
Titled: "An Act to Promote and Strengthen
the National Defense by Suspending Enforce-
ment of Certain Civil Liabilities of Certain
Persons Serving in the Military and Naval
Establishments, including the Coast Guard."

1. In accordance with Reference (b), application is
hereby made for a stay in subject proceedings until not less
than sixty (60) days after the expiration of my military service.

2. Ability to defend my rights in this case at this
time are materially affected by reason of such service in the
following respects:

(a) My entire time is devoted to the National Defense,
being subject to emergency calls twenty-four (24)
hours of each day.

1146

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7 filed
7-5-44
P.S. Muck
Reg.

1146

W. R. STUART
PROBATE JUDGE

No. **7371**

Bay Minette, Ala., *Aug 2*, 194**7**

Received of *Ms. Dusk.*

No.		Deed Tax		Mortgage Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
	<i>Magnolia Spr Land Co</i>								
	<i>D. M. Ray</i>								
						<i>140</i>		<i>140</i>	

FOR RECORD

5317 MARSHALL & BRUCE-NASHVILLE

W. R. Stuart TOTAL \$
Judge of Probate.

Post Office Department
OFFICIAL BUSINESS

REGALTY FOR PRIVATE USE TO AVOID PENALTY FOR POSTAGE 1901



Return to *R. S. Lusk*
(NAME OF SENDER)
Street and Number,
in Post Office Box, *Circuit Clerk*

REGISTERED ARTICLE

No. *346* Post Office _____

INSURED PARCEL

No. _____ State _____

Form 3811
Rev. 1-7-33

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1 Wm. R. King
(Signature or name of addressee)

2 _____
(Signature of addressee's agent—agent should enter addressee's name on line 1)

Date of delivery Sept 21, 1945

5711
10/1/45
Wm. R. King
10/1/45

Foley, Ala.,

May 23, 1945.

From: A. M. Ray,
To : Honorable J. Blocker Thornton, Judge of the Circuit Court of
Mobile County, Mobile, Ala.

Reference: (a) Injunction granted June 16, 1944, on prayer of Magnolia
Springs Land Co.
(b) Equity Rule #99.

1. Inasmuch as plaintiff has not brought the defendant into court by some method provided by the Equity Rules, and inasmuch as more than six months have elapsed since the filing of his bill on which the injunction was obtained, it is requested that said injunction be dissolved.

A M Ray

A. M. RAY
Defendant in the case
of Magnolia Springs Land
Co., v. A. M. RAY.

Copy to J. B. Blackburn,
Solicitor for Complainant.

L146

Recd May 26 1945
R. H. [unclear]
[unclear]

MAGNOLIA SPRINGS LAND
COMPANY, a Corporation,

Complainant,

VS.

A. M. RAY,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

INJUNCTION BOND

KNOW ALL MEN BY THESE PRESENTS: That we, Magnolia Springs Land Company, a Corporation, as Principal, and the undersigned as sureties, are held and firmly bound unto A. M. Ray in the sum of Two Hundred Fifty Dollars (\$250.00) for the payment of which we hereby bind ourselves, our heirs, executors and administrators, jointly and severally.

Sealed with our seals and dated this 24th day of June, 1944.

The condition of the above obligation is such that whereas, the said Magnolia Springs Land Company, a Corporation, has filed its Bill of Complaint in the Circuit Court of Baldwin County, Alabama, Equity Side, and has obtained thereon an Order for the issuance of an injunction from the Honorable J. Blocker Thornton, a Judge of the Circuit Court of Mobile County, Alabama, to restrain and enjoin A. M. Ray from cutting or removing or in any way disposing of all or any part of the timber on all or any part of the lands described in the Bill of Complaint filed in this cause and from doing or taking any action which would disturb the status quo of the said property pending the determination of the issues set up in the said suit:

Now therefore, if the said Magnolia Springs Land Company, a Corporation, its successors or assigns shall pay or cause to be paid all damages and costs which any person may sustain by the suing out of the said injunction if the same is dissolved, then this obligation shall be void, otherwise it shall remain in full force and effect.

MAGNOLIA SPRINGS LAND COMPANY, a Corporation (SEAL)

By Garrett R. Foley, Pres.

Garrett R. Foley (SEAL)
Carl F. Barker (SEAL)

Taken and approved this 24 day
of June, 1944.

R. D. Duce
Register.