

R. C. KEENEY,

Complainant,

Vs.

JAMES E. KEITH,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

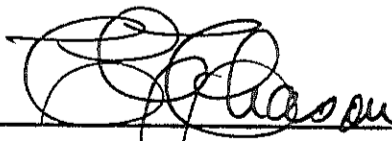
NO. 2318

INTERROGATORIES TO BE EXHIBITED
TO COMPLAINANT IN ACCORDANCE WITH
EQUITY RULE 39, CODE OF ALABAMA,
1940, APPENDIX, TITLE 7.

1. State your name, age and address.
2. State the basis of your claim of ownership of the following described real property in Baldwin County, Alabama, viz:

All of Lot 11, Block 21, Lots 6, 7, 8, and 9, Block 19, in Park City Subdivision, according to the plat thereof, on record in the office of the Probate Judge of Baldwin County, Alabama.

3. State the name and address of the person, or persons, from whom you purchased title to the above described real property. If you do not know the present address, (of the person, or persons, from whom you purchased title to the above described property), please give their address at the time your purchased such title.
4. State the basis of the title of the person, or persons, from whom you purchased title to said property.
5. State the amount you paid for your alleged title to said real property, and how said amount was paid? Did you pay by check, cash, or money order?


J. B. Mason
Solicitors for Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 2318

R. C. KEENEY,

Complainant,

VS.

JAMES E. KEITH,

Respondent.

INTERROGATORIES TO BE EX-
HIBITED TO COMPLAINANT IN
ACCORDANCE WITH EQUITY
RULE 39, CODE OF ALABAMA,
1940, APPENDIX, TITLE 7.

FILED

JUN 24 1954

ALICE A. DUCK, Register

R. C. KEENEY,

Complainant,

Vs.

JAMES E. KEITH,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 2318

X
REQUEST BY RESPONDENT FOR EXAMINATION OF
COMPLAINANT IN ACCORDANCE WITH EQUITY
RULE 39, CODE 1940, TITLE 7, APPENDIX.

In the above styled cause the respondent, JAMES E. KEITH, wishes to examine the complainant, R. C. KEENEY, touching the subject matter of the bill, or his defense thereto, and having filed answer to said bill, now exhibits with the Register of said Court interrogatories to the complainant and calls upon said complainant to answer the same within thirty days from the service hereof, and on the complainant's failing to answer the same within the time specified, respondent asks that complainant's bill be dismissed with costs.


Solicitors for Respondent.

ORDER

Upon consideration of the foregoing request it is hereby ordered that complainant answer the interrogatories propounded by the respondent within thirty days from the service hereof upon him, or his solicitor, and it is further ordered that a copy of the request and this order, and of said interrogatories be served upon the complainant.

This the 24th day of June, 1954.


REGISTER.

Received in Sheriff's Office
this 24 day of June 1954
TAYLOR WILKINS, Sheriff

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 2318

R. C. KEENEY,
Complainant,

VS.

JAMES E. KEITH,
Respondent.

REQUEST BY RESPONDENT
FOR EXAMINATION OF COM-
PLAINANT IN ACCORDANCE
WITH EQUITY RULE 39,
CODE 1940, TITLE 7,
APPENDIX.

FILED
JUN 24 1954

ALICE J. DUCK, Register

Received 24 day of June 1954
and on 25 day of June 1954
I served a copy of the within
on _____

By service on _____

J. B. Robinson

TAYLOR WILKINS, Sheriff
By J. B. Robinson S.

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

January 14, 1957

Mrs. Alice J. Duck
Clerk of Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

The case of R. C. Keeney vs. James E. Keith,
being case #2318, has been dismissed without
prejudice today.

Please prepare a cost bill and mail it to
Mr. R. C. Keeney at Fairhope, Alabama.

Sincerely yours,


J. B. BLACKBURN.

JBB:am

CC: Mr. R. C. Keeney
Fairhope, Alabama

R. C. KEENEY,) IN THE CIRCUIT COURT OF
Complainant,) BALDWIN COUNTY, ALABAMA
vs.) IN EQUITY. NO. 2318.
JAMES E. KEITH,)
Respondent.)

DECREE DISMISSING CAUSE WITHOUT PREJUDICE

This cause coming on to be heard on this day is submitted for a decree dismissing this cause without prejudice by consent of the parties, upon consideration of all of which, it is therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. This cause shall be, and it is hereby, dismissed without prejudice.

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

3. This decree has been consented to by the parties to this cause, acting by and through their respective Solicitors.

ORDERED, ADJUDGED AND DECREED on this the 14th day of January, 1957.

Hubert M. Hall
Judge.

DECREE DISMISSING CAUSE
WITHOUT PREJUDICE

R. C. KEENEY, Complainant,
vs.
JAMES E. KEITH,
Respondent.

vs.

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

24th 1/2 1934

R. C. KEENEY,

Complainant,

-vs-

JAMES E. KEITH,

Respondent.

BOOK

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PAGE

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Comes the respondent in the above styled cause and demurs to the complaint filed therein and separately and severally to each count thereof, and as grounds of demurrer assigns separately and severally the following:-

1. That insufficient grounds are alleged to entitle complainant to maintain this bill.
2. For ought that appears in said bill respondent may have title superior to that of complainant.
3. For ought that appears in said bill complainant has no record title to said property.
4. Insufficient allegations of ownership and title in the complainant are alleged.
5. For ought that appears complainant may be holding the property adversely or by instrument not in a chain of title which would allow redemption.
6. For ought that appears respondent may have a valid conveyance from the record owners.
7. For ought that appears complainant has an adequate remedy at law.
8. The prayer for process and relief prays for relief not consistent with the complaint.
9. The prayer for process and relief prays for relief improper in a bill to redeem from a tax sale.
10. There is no equity in the bill.


Solicitor for Respondent

R. C. KEENEY,)	
Complainant,)	IN THE CIRCUIT COURT OF
VS.)	BALDWIN COUNTY, ALABAMA
JAMES E. KEITH,)	IN EQUITY NO. 2318
Respondent.)	

ORDER OF JUDGE RECUSING SELF

In this cause it has been made to appear to the undersigned Judge of the Circuit Court of Baldwin County, Alabama, that he appeared as solicitor for the complainant in this cause at the time it was filed and that he, therefore, is disqualified from sitting as judge to try this case; upon consideration of all of which, the undersigned judge has and does hereby recuse himself in this cause.

Dated this 20 day of December, 1955.

Robert M. Hall
Judge

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ORDER OF JUDGE RECUSING SELF

R. C. KEENEY,

VS.

Complainant,

JAMES E. KEITH,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 2318

FILED

DEC 20 1955

ALICE J. DUCK, Register

R. C. KEENEY

COMPLAINANT

VS

JAMES E. KEITH

RESPONDENT

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

This cause coming on to be heard was submitted for decree upon the demurrers of the Respondent filed to the original bill of complaint of the Complainant.

The Court after considering the matter is of the opinion that the demurrers are not well taken and should be over ruled.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the court, that the demurrers of the Respondent to the Complainant's bill of complaint be and the same are over ruled.

IT IS FURTHER ORDERED that the Respondent be and he is hereby granted twenty days inwhich to file additional pleadings.

Done this the ^{3rd}~~2nd~~ day of October, 1950.

Jelfair H. Madlibury, Jr.
Judge.

m2318

R. C. KEENEY

COMPLAINANT

VS

JAMES E. KEITH

RESPONDENT

DECREE OVERRULING DEMURRERS

FILED

OCT 5 1950


ALICE J. DUCK, Register

R. C. KEENEY,) (
Complainant,) (IN THE CIRCUIT COURT OF
- vs -) (BALDWIN COUNTY, ALABAMA
JAMES E. KEITH,) (IN EQUITY
Respondent.) (

Comes the respondent in the above styled cause and for answer to the bill of complaint filed therein saeth as follows:

1. Respondent admits the allegations of Paragraph 1.
2. Respondent denies the allegations of Paragraph 2 and demands strict proof thereof.
3. Respondent admits that he has a deed to the lots described in the complaint from the State of Alabama but denies all other allegations set out in Paragraph 3 of the bill of complaint and demands strict proof thereof.
4. Respondent denies all allegations contained in the bill of complaint not herein expressly admitted and demands strict proof thereof.

The respondent having fully answered the complainant's bill of complaint prays that the same be dismissed.



Attorney for Respondent

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JAMES E. KEITH to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the complain of R. C. KEENEY.

WITNESS my hand this 20th day of July, 1949.

Archie J. Couch
Clerk

R. C. KEENEY)	IN THE CIRCUIT COURT OF
COMPLAINANT)	BALDWIN COUNTY, ALABAMA
VS.)	IN EQUITY
JAMES E. KEITH)	
RESPONDENT)	

TO HON. TILFAIR J. MASHEURN JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY.

Your Complainant, R. C. Keeney, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age; that the Respondent James E. Keith, is over twenty-one years of age, and a bona fide resident of Baldwin County, Alabama;

2.

That your Complainant is the owner, and in possession of the following described real property situated in Baldwin County, Alabama, to-wit:

All of Lot 11, Block 21, Lots 6, 7, 8, 9, Block 19, in Park City subdivision according to plat thereof, on record in the office of the Probate Judge of Baldwin County, Alabama.

3.

That the Respondent on to-wit, July 19, 1946, secured from the State of Alabama, a tax deed to the lots herein above described; that the Respondent has never been in or exercised any actual possession to


the said property;

4-

That the Complainant submits himself to the jurisdiction of the court and agrees to abide by all orders and decrees thereof.

WHEREFORE the premises considered your Complainant prays that your Honor will by proper process make the said James E. Keith party respondent hereto, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing hereof, your Honor will make and enter an order and decree that your Complainant is the owner of the property herein described; that he has a right to redeem the same from said tax sale; that your Honor will ascertain the amount necessary to affect a redemption of said property and the amount due by your Complainant to the Respondent; that a further decree be made and entered requiring the Respondent to convey the said property to your Complainant by proper conveyance upon payment of the amount ascertained to be due, and that upon the failure of the Respondent to make and deliver the conveyance in accordance with the decree of the Court that the Register of this Court upon the expiration of thirty days from the date of decree be authorized, directed and empowered to affect proper conveyance to your Complainant conveying all right, title and interest acquired, and held by the Respondent in and to said property; that your Honor will make and grant unto your Complainant such other, further, different or general relief as he may be in equity and good conscience entitled to receive.


Solicitor for Complainant.

m 2318

Received in Sheriff's Office
this 2 day of July, 1949
TAYLOR WILKINS, Sheriff

Executed 8-13 19 49
by serving copy of within Summons and
Complaint on

R. C. KIBNEY

COMPLAINANT

VS.

JAMES E. KEITH

RESPONDENT

James E. Keith
Taylor Wilkins Sheriff
By V. F. Hall Deputy Sheriff

2318

FILED
JUL 20 1949
ALICE J. DUCK, Register