

4269

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY LAW OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to summon MARY Y. GRICE, CHARLES D. GRICE, MARION L. GRICE, ANNIE GRICE DOHERTY AND ROBERT N. GRICE, to appear within thirty days from the service of this writ in the Circuit Court of Baldwin County, Alabama, in Equity, at the place of holding the same, then and there to plead, answer or demur to the Bill of Complaint filed against them by J. L. RUPLE.

WITNESS my hand this 19 day of April, 1958.

James L. Dineen
Register.

BILL OF COMPLAINT

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

The Complainant, J. L. Ruple, presents this Bill of Complaint against Mary Y. Grice, Charles D. Grice, Marion L. Grice, Annie Grice Doherty and Robert N. Grice, and thereupon the Complainant complains and shows unto the Court and your Honor as follows:

1. The Complainant is over twenty-one years of age and is a resident of Baldwin County, Alabama.

Mary Y. Grice and Charles D. Grice are each over twenty-one years of age and each reside in Baldwin County, Alabama.

Marion L. Grice is over the age of twenty-one years and a non-resident of the State of Alabama, whose residence and Post Office address is Skyland, North Carolina.

Annie Grice Doherty is over the age of twenty-one years and a non-resident of the State of Alabama, whose residence and post office address is 12 Liberty Place, Weehawken, New Jersey.

Robert N. Grice is over the age of twenty-one years and a non-resident of the State of Alabama, whose residence and post office address is 86 Edgemond Road, Asheville, North Carolina.

2. Complainant claims to own and is in the actual, quiet and peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

Begin at the Southeast corner of Section 40, Township 3 South, Range 2 East, and run thence North 2 degrees West 2437 feet, more or less, to the point where the East line of the said Section 40 intersects the South line of Bayou Wiltz; thence Southwestwardly along Bayou Wiltz and following the meanders thereof to the point where the said Bayou intersects the South line of the said Section 40; run thence South 85 degrees East 2193 feet, more or less, to the point or place of beginning, and containing 55 acres, more or less.

3. The Respondents claim, or are reputed to claim some right, title or interest in, lien or encumbrance on the said lands; no suit is pending to enforce or test the validity of such title, interest in, lien or encumbrance on the said lands and the Complainant brings this Bill of Complaint against the said Respondents to settle the title to said lands and to clear up all

doubts and disputes concerning the same. The Complainant here and now calls upon the said Respondents to set forth and specify their right, title or interest in, lien or encumbrance on said lands, or any part thereof, and how and by what instrument the same is derived and created.

4. The Complainant is also in possession of and claims to own the timber growing on the above described lands.

On, to-wit, the 8th day of March, 1958, the Respondents, Mary Y. Grice and Charles D. Grice, or one of them, had a survey made of a part of the above described property, and on, to-wit, the 18th day of March, 1958, the Respondent, Mary Y. Grice, who is the same person as M. Y. Grice, made an escape tax assessment in the Office of the Tax Assessor of Baldwin County, Alabama, which assessment covered a part of the above described lands.

On, to-wit, March 15, 1958, the Respondents, Mary Y. Grice and Charles D. Grice, or one of them, sold timber to J. B. Jones, who caused the timber to be cut and removed on, to-wit, March 26, 1958, from a part of the lands which are claimed by the Complainant, and which are included in the said escape assessment.

Complainant is informed and believes and on such information and belief alleges the fact to be that the Respondents, or some of them, will cut and remove timber which is growing on the above described lands unless they are restrained from so doing, and the Complainant further alleges that the present status of the property involved in this suit should be maintained until a final hearing is had in this suit.

PRAYER FOR PROCESS

Complainant prays that the said Mary Y. Grice, Charles D. Grice, Marion L. Grice, Annie Grice Doherty and Robert N. Grice be made parties respondent to this Bill of Complaint and that the usual process of this Honorable Court do forthwith issue to them.

PRAYER FOR RELIEF

The Complainant prays for the following separate and several relief:

1. That a temporary writ of injunction be issued restraining the Respondents and each of them from trespassing on the above described property, from cutting and removing timber there-

from, and from changing the status quo of the said property pending a final hearing of this suit.

2. That upon a final hearing of this cause that this Court will make and enter a decree against the said Respondents, quieting Complainant's title to the said lands and adjudging and decreeing that the Complainant is the owner thereof in his own right; that the title thereto in him is forever quieted against the Respondents and adjudging and decreeing that they, and each of them, are without right, title or interest in the said lands, and have no encumbrance thereon.

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

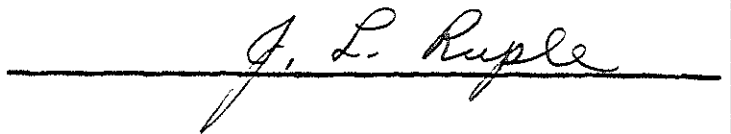

Solicitor for Complainant.

STATE OF ALABAMA

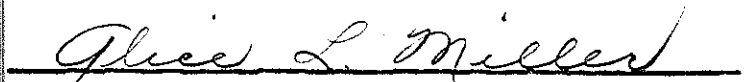
BALDWIN COUNTY

Before me, the undersigned authority, within and for said State and County, personally appeared J. L. Ruple, who, after being by me first duly and legally sworn, deposes and says:

That he is the Complainant in the above entitled cause; that he has read over the foregoing Bill of Complaint and that the facts stated therein are true.



Sworn to and subscribed before
me on this the 19th day of
April, 1958.


Notary Public, Baldwin County, Alabama.

TO ALICE J. DUCK, REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY:

Upon Complainant entering into bond with requisite security in the sum of ONE THOUSAND DOLLARS (\$1,000.00) payable and conditioned as provided by law, let an injunction issue according to the prayer of the Bill of Complaint.

DATED this 19 day of April, 1958.

Hubert M. Hall

Judge.

J. L. RUPLE,

Complainant,


VS.

MARY Y. GRICE, ET AL,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 4269

Now comes the Complainant in the above styled cause and amends the original bill of complaint in this cause by striking therefrom paragraph numbered two of the prayer for relief.


Solicitor for Complainant

J? L. RUPLE,

COMPLAINANT

VS

MARY Y. GRICE, ET AL.,

RESPONDENT

* IN THE CIRCUIT COURT OF
 *
 * BALDWIN COUNTY, ALABAMA.
 *
 * IN EQUITY.
 *
 * CASE NO. _____
 *
 *

Comes Respondent MARY Y. GRICE and for answer to said bill of complaint filed in said cause shows unto this Honorable Court as follows:

1. That she is the owner of the following described property:

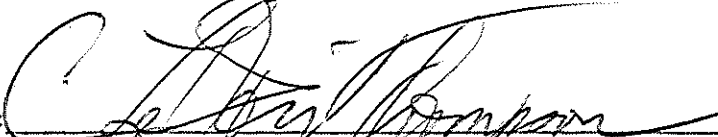
From the Southeast corner of Thomas Byrne Grant Section 40, T3S, R2E, run N 02°W along the East boundary of said grant 287 feet; thence run N 71° 45' W, 1421 feet to a point on the East or South margin of Byrne's Lake at the mouth of "East Bayou Wiltz"; thence run Southwestwardly following the meanders of the East (or South) bank of Byrne's Lake 990 feet more or less to a point on the south boundary of said Grant Section 40; thence run S 85° E along the south boundary of said Grant Section 40, 2193 feet to the point of beginning. 25 acres, more or less, in Thomas Byrne Grant Section 40, T3S, R2E, Baldwin County, Alabama.

2. That her title accrues to her through a deed dated March 10, 1958, recorded April 16, 1958 in deed book 264 page 444-5 which deed was executed by Charles Dudley Grice who is an heir at law of Charles F. Grice and Bertha R. Grice both deceased, who held title by virtue of a decree of the Chancery Court in Mobile, Alabama dated April 28, 1905 and filed for record in the office of the Probate Judge of Baldwin County on May 29, 1905 and that said property has not been alienated.

3. That the said Respondent Mary Y. Grice did on the 18th day of March, 1958 assess said land together with other lands as an escape tax assessment in the office of the Tax Assessor of Baldwin County, Alabama.

4. That the said Mary Y. Grice has been and is in possession of said lands.

THOMPSON & WHITE

BY: 
 Attorneys for Respondent, Mary Y. Grice.

4269

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THE STATE OF MICHIGAN, County of _____, ss. I, _____, Clerk of the Court, do hereby certify that the within and foregoing is a true and correct copy of the _____ as the same appears from the records of the Court.

WITNESSES MY HAND AND SEAL OF OFFICE this _____ day of _____, 1958.

FILED
JUL 23 1958

ALICE J. DUCK, Register



THE BALDWIN TIMES

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

JIMMY FAULKNER
AND
BILL STEWART
PUBLISHERS

E. R. MORRISSETTE, JR.
EDITOR-MANAGER

Legal Notice

NOTICE TO NON-RESIDENTS
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.

J. L. Ruple,
Complainant,

vs.

Mary Y. Grice, Charles D. Grice,
Marion L. Grice, Annie Grice,
Doherty and Robert N. Grice.

Respondents

In this cause it is made to appear to the Register by the affidavit of J. L. Ruple, that the Respondents, Annie Grice Doherty and Robert N. Grice, are each non-residents of the State of Alabama whose last known places of residence and Post Office addresses were;

Annie Grice Doherty, 12 Liberty Place, Weehawken, New Jersey;

Robert N. Grice, 86 Edgemont Road, Asheville, North Carolina; and that the said Respondents are each over twenty-one years of age.

It is, therefore, ORDERED by the Reister that publication be made in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Annie Grice Doherty and Robert N. Grice to plead, answer or demur to the Bill of Complaint in this cause by the 28th day of July, 1958, or at the expiration of thirty days from the said date a decree pro confesso will be taken against them.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal on the Court on this the 23rd day of June, 1958.

ALICE J. DUCK
Register

JAMES R. OWEN,
Solicitor for Complainant.

24-4tc

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

E. R. Morrisette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

J. L. Ruple vs. Mary Grice, etc.

COST STATEMENT

235 WORDS @ 6 1/2 cents \$ 16. 28

I hereby certify this is correct, due and unpaid (paid).

E. R. Morrisette Jr.
Editor.

was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication June 26, 1958 Vol. 70 No. 24

Date of 2nd publication July 3, 1958 Vol. 70 No. 25

Date of 3rd publication July 10, 1958 Vol. 70 No. 26

Date of 4th publication July 17, 1958 Vol. 70 No. 27

Subscribed and sworn before the undersigned this 17 day of July, 1958

Dorothy Martin
Notary Public, Baldwin County.

E. R. Morrisette Jr.
Editor.

THE COUNTY OF
WYLDEN

BY: JOHN W. JONES

WARRANT OF PUBLICITY

BYLDWIN COUNTY,
STATE OF WYOMING.

I, the undersigned, Clerk of the County of Byldwin, Wyoming, do hereby certify that the within and foregoing is a true and correct copy of the original thereof as the same appears in the files of the County Clerk.

FILED

JUL 19 1958

ALICE L. DUCK, Register

COPIES OF THIS WARRANT OF PUBLICITY ARE TO BE FURNISHED TO THE REGISTER AND TO THE CLERK OF THE DISTRICT COURT IN THE DISTRICT WHERE THE LAND IS LOCATED.

Witness my hand and seal of office this 19th day of July, 1958.

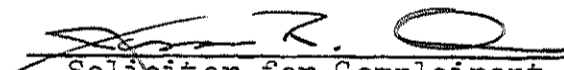
J. L. RUPLE,)	
Complainant,)	IN THE CIRCUIT COURT OF
vs.)	BALDWIN COUNTY, ALABAMA
MARY Y. GRICE, ET AL.,)	IN EQUITY. NO. 4269.
Respondents.)	

MOTION FOR PRE-TRIAL CONFERENCE

Now comes the Complainant, by his Solicitor, and moves the Court to direct the attorneys for the parties to this proceeding to appear before it for a pre-trial conference to consider the following:

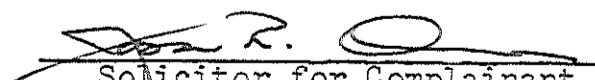
1. The simplification of the issues.
2. The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof.
3. Such other matters as may aid in the disposition of this action.
4. Any other matters provided for in Equity Rule 38 which will aid in a prompt disposition of this action.

DATED this 12th day of August, 1958.


Solicitor for Complainant.

STATE OF ALABAMA
BALDWIN COUNTY

I hereby certify that I mailed a copy of the above and foregoing motion to the firm of Thompson and White, Bay Minette, Alabama, Solicitors for the Respondents, by first class mail, properly addressed to them at Bay Minette, Alabama, on this the 12th day of August, 1958.


Solicitor for Complainant.

[Handwritten signature]

THE STATE OF TEXAS, COUNTY OF DALLAS, ss.

I, the undersigned, County Clerk of said County, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the records of said County.

Witness my hand and the seal of said County at Dallas, Texas, this 14th day of August, 1958.

County Clerk

NOTED TO FILE

[Handwritten signature]

THIS IS TO CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS THE SAME APPEARS IN THE RECORDS OF SAID COUNTY.

WITNESS MY HAND AND THE SEAL OF SAID COUNTY AT DALLAS, TEXAS, THIS 14TH DAY OF AUGUST, 1958.

County Clerk

NOTED TO FILE

FILED

AUG 14 1958

ALICE L. BRICK, Register

4269

NOTED TO FILE

THE STATE OF TEXAS, COUNTY OF DALLAS, ss.

I, the undersigned, County Clerk of said County, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the records of said County.

County Clerk

NOTED TO FILE

THE STATE OF TEXAS, COUNTY OF DALLAS, ss.

ss.

NOTED TO FILE

THE STATE OF TEXAS, COUNTY OF DALLAS, ss.

J. L. RUPLE,
Complainant,
vs.

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

MARY Y. GRICE, CHARLES D. GRICE,
MARION L. GRICE, ANNIE GRICE
DOHERTY AND ROBERT N. GRICE,
Respondents.

Notice To Non-Residents:

In this cause it is made to appear to the Register by the affidavit of J. L. Ruple, that the Respondents, Annie Grice Doherty and Robert N. Grice, are each non-residents of the State of Alabama whose last known places of residence and Post Office addresses were:

Annie Grice Doherty, 12 Liberty Place, Weehawken,
New Jersey;

Robert N. Grice, 86 Edgemont Road, Asheville, North
Carolina;

and that the said Respondents are each over twenty-one years of age.

It is, therefore, ORDERED by the Register that publication be made in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Annie Grice Doherty and Robert N. Grice to plead, answer or demur to the Bill of Complaint in this cause by the 28th day of July, 1958, or at the expiration of thirty days from the said date a decree pro confesso will be taken against them.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal on the Court on this the 23rd day of June, 1958.

ALICE J. DUCK,
Register.

JAMES R. OWEN,
Solicitor for Complainant.

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FILED
JUN 23 1958

ALICE J. DUCK, Register

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J. L. RUPLE,
Complainant
VS
MARY Y. GRICE, ET AL.
Respondents

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

SUGGESTION OF BOUNDARY DISPUTE

Come the defendants in the above styled cause and suggests that this suit involves a dispute as to the boundary line between land owned by the plaintiff and land owned by the defendant, a true description of said boundary line being as follows:

From the Southeast corner of Thomas Byrne Grant, Section 40, Township 3 South, Range 2 East, in Baldwin County, Run N 2°W along the East boundary of said grant 287 feet; thence run N 71° 45' W, 1421 feet to a point on the East or South margin of Byrne's Lake at the mouth of "East Bayou Wiltz"; thence run Northeasterly along the meanders of "East Bayou Wiltz" to the mouth of a creek at the source of said Bayou, thence follow the meanders of the southermost creek stream easterly to its intersection with the East Line of said Section 40, approximately 1687 feet north of the Southeast corner of said Grant Section 40, Township 3 South, Range 2 East, Baldwin County.

THOMPSON & WHITE

BY: Mary Thompson White

Attorneys for Respondents
MARY GRICE AND CHARLES D. GRICE

J. L. RUPLE,)	IN THE CIRCUIT COURT OF
Complainant,)	BALDWIN COUNTY, ALABAMA
vs.)	IN EQUITY.
MARY Y. GRICE, ET AL.,)	
Respondents.)	

WRIT OF INJUNCTION

TO MARY Y. GRICE, CHARLES D. GRICE, MARION L. GRICE, ANNIE GRICE DOHERTY, AND ROBERT N. GRICE:

WHEREAS, J. L. Ruple has filed a Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity and has obtained from the Honorable Hubert M. Hall, Judge of the said Court, an order for the issuance of an injunction to restrain and enjoin you, as hereinafter mentioned; and

WHEREAS, the said Complainant, J. L. Ruple has, in accordance with the said order, entered into bond with security in the sum of One Thousand Dollars (\$1,000.00) payable and conditioned as provided by law;

NOW, THEREFORE, you and each of you are hereby commanded and strictly enjoined from trespassing on, cutting or removing timber from, and from changing the status quo of the following described property situated in Baldwin County, Alabama, to-wit:

Begin at the Southeast corner of Section 40, Township 3 South, Range 2 East, and run thence North 2 degrees West 2437 feet, more or less, to the point where the East line of the said Section 40 intersects the South line of Bayou Wiltz; thence Southwestwardly along Bayou Wiltz and following the meanders thereof to the point where the said Bayou intersects the South line of the said Section 40; run thence South 85 degrees East 2193 feet, more or less, to the point or place of beginning, and containing 55 acres, more or less.

until a final hearing of this cause, and until further orders of this Court.

IN WITNESS WHEREOF, I have hereunto set my hand, as Register, and affixed the seal of the said Court on this the 19 day of April, 1958.

Deepest Seal

 Register.

4269

Received 18 day of April 1958

and on 27 day of April 1958

I served a copy of the within Subpoena

on Mary Grace, Charles Grace.

By service on _____

TAYLOR WILKINS, Sheriff

By W. C. Talbot D.

Promley Road

Sheriff claims 60 miles at

Ten Cents per mile Total \$ 6.00

TAYLOR WILKINS, Sheriff

BY Talbot
DEPUTY SHERIFF

FILED

APR 19 1958

ALICE J. RUCK, Register

[Faint, mostly illegible text from the reverse side of the document, including names like 'MAY GRACE' and 'CHARLES GRACE']

J. L. RUPLE,

Complainant,

vs.

MARY Y. GRICE, ET AL.,

Respondents.

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

DECREE OVERRULING DEMURRER:

This cause coming on to be heard on this day is submitted on the Respondent's demurrer to the Bill of Complaint heretofore filed in this cause and the said demurrer being considered by the Court, it is ORDERED, ADJUDGED AND DECREED by the Court that the said demurrer is not well taken and that it should be overruled and the same is hereby overruled.

ORDERED, ADJUDGED AND DECREED on this the 23rd day of June, 1958.

Hubert M. Grace
Judge.

4269

1100

FILED
JUN 20 1900
ALICE L. ROCK, Register

IN SENATE
JANUARY 11, 1900
REPORT
OF THE
COMMISSIONERS OF THE
LAND OFFICE
IN RESPONSE TO A
RESOLUTION PASSED
BY THE SENATE
MAY 11, 1899

THE LAND OFFICE HAS THE HONOR TO ACKNOWLEDGE THE RECEIPT OF THE REPORT OF THE COMMISSIONERS OF THE LAND OFFICE IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE MAY 11, 1899. THE REPORT IS HEREBY REFERRED TO THE SENATE FOR ITS CONSIDERATION AND ACTION.

Wm. [Signature]

1900

J. L. RUPLE,
COMPLAINANT
VS
MARY Y. GRICE, ET AL.,
RESPONDENTS

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

Come Respondents, MARY Y. GRICE and CHARLES D. GRICE, and demur to the complaint filed in said cause and as grounds for said demurrer show unto this Honorable Court as follows:

1. That said complaint fails to state a cause of action.
2. That said complaint alleges conclusions of the pleader as to paragraph two therein.
3. That the allegations of said complaint, as to paragraph two therein, are conclusions of the pleader.
4. That paragraph three of said complaint is without foundation as to Respondent Charles D. Grice.
5. That the allegations of paragraph four are conclusions of the pleader in that the said Charles D. Grice is alleged to have done certain acts without foundation for said allegations.
6. That the allegations of paragraph four of said complaint are conclusions of the pleader.
7. That paragraph four of said complaint alleges separate and distinct conflicting charges.
8. That paragraph four of said complaint includes a multiplicity of allegations.
9. That the allegations of said complaint concerning Mary Y. and Charles D. Grice are in the alternative.
10. That the said complaint fails to pray any relief against Charles D. Grice.
11. That the said complaint fails to pray proper relief against the said Mary Y. Grice.

THOMPSON & WEAVER

By: 

Attorney for Respondents.

Respondents demand a trial by jury on the facts.

4269

THE STATE OF TEXAS
COUNTY OF DALLAS
I, the undersigned, Clerk of the County of Dallas, Texas, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the records of the County of Dallas, Texas.

WITNESSED my hand and the seal of the County of Dallas, Texas, at Dallas, Texas, this 22nd day of May, 1958.

FILED
MAY 22 1958
ALICE J. DUCK, Register

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Dallas, Texas, at Dallas, Texas, this 22nd day of May, 1958.

[Faint signature and text at the bottom of the page]

J. L. RUPLE,

Complainant,

VS.

MARY Y. GRICE, ET AL,

Respondents.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 4269

NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainant upon the original verified bill of complaint, amendment to bill of complaint, and answer and waiver of Respondents.

Alice J. Grice
Register

JAMES R. OWEN
Solicitor for Complainant

M

THE STATE OF NEW YORK
IN SENATE
January 11, 1907.

REPORT
OF THE
COMMISSIONERS OF THE LAND OFFICE
IN ANSWER TO A RESOLUTION PASSED BY THE SENATE
MAY 11, 1906.

ALBANY:
J. B. LIPPINCOTT COMPANY,
PRINTERS,
1907.

POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS.—Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

RETURN TO
▼

REGISTERED NO.

NAME OF SENDER

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

INSURED NO.

CITY, ZONE, AND STATE

Alice L. Duck

Box 239

Bay Minette, Ala.

134278

POD Form 3811, Dec. 1955

916-71548-3

POSTMARK OF
DELIVERING OFFICE

APR
23
1958

RETURN TO
▼

REGISTERED NO.

NAME OF SENDER

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

INSURED NO.

CITY, ZONE, AND STATE

Alice L. Duck

Box 239

Bay Minette, Ala.

134276

POD Form 3811, Dec. 1955

916-71548-3

4269

INSTRUCTIONS TO DELIVERING EMPLOYEE

- DELIVER ONLY TO ADDRESSEE (20¢ additional)
- SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT
 Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return

1. SIGNATURE OR NAME OF ADDRESSEE

X
 2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

Deliver to Addressee Only

3. DELIVERY DATE

, 19

4.

GPO c16-71548-3

4269

INSTRUCTIONS TO DELIVERING EMPLOYEE

- DELIVER ONLY TO ADDRESSEE (20¢ additional)
- SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT
 Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X
 2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

Carion & Grice

3. DELIVERY DATE

APR 23 1958

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4.

GPO c16-71548-3

STATE OF ALABAMA)
 *
BALDWIN COUNTY)

INJUNCTION BOND

KNOW ALL MEN BY THESE PRESENTS: That we, J. L. Ruple, as principal and the Fidelity and Casualty Company of New York, a corporation, as surety, are held and firmly bound unto Mary Y. Grice, Charles D. Grice, Marion L. Grice, Annie Grice Doherty and Robert N. Grice in the sum of One Thousand Dollars (\$1,000.00) for the payment of which the principal binds himself, his heirs, executors and administrators, and the surety binds itself, its successors and assigns, jointly and severally, by these presents.

WHEREAS, the above bounden J. L. Ruple, in a Bill of Complaint filed by him against the said Mary Y. Grice, Charles D. Grice, Marion L. Grice, Annie Grice Doherty and Robert N. Grice, prayed for and obtained a writ of injunction out of the Circuit Court of Baldwin County, Alabama, in Equity, upon the approval of this bond, restraining and enjoining the said Mary Y. Grice, Charles D. Grice, Marion L. Grice, Annie Grice Doherty and Robert N. Grice from trespassing on, cutting or removing timber from and from changing the status quo of the following described property situated in Baldwin County, Alabama, to-wit:

Begin at the Southeast corner of Section 40, Township 3 South, Range 2 East, and run thence North 2 degrees West 2437 feet, more or less, to the point where the East line of the said Section 40 intersects the South line of Bayou Wiltz; thence Southwestwardly along Bayou Wiltz and following the meanders thereof to the point where the said Bayou intersects the South line of the said Section 40; run thence South 85 degrees East 2193 feet, more or less, to the point or place of beginning, and containing 55 acres, more or less.

pending a final hearing of this suit.

NOW, THEREFORE, the condition of the above obligation is such that if the said J. L. Ruple shall pay or cause to be paid all damages which the said Mary Y. Grice, Charles D. Grice, Marion L. Grice, Annie Grice Doherty and Robert N. Grice may sustain by the suing out of this injunction, if the same is dissolved, then the above obligation shall be void, otherwise it shall remain in

full force and effect.

WITNESS our hands and seals on this the 19 day of
April, 1958.

J. L. RUPLE

(SEAL)

J. L. Ruple

THE FIDELITY AND CASUALTY COMPANY
OF NEW YORK, a corporation (SEAL)

By: William L. ...
As its Attorney in Fact.

Taken and approved on this
the 19 day of April, 1958.

Deirdre J. ...
Register.

J. L. RUPLE,
Complainant,
VS.
MARY Y. GRICE, ET AL,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 4269

ANSWER AND WAIVER

Now come the Respondents, by their Solicitors, and waive notice of setting a date to hear this cause and consent and agree that a final decree be rendered permanently enjoining the Respondents from trespassing on the property described in the original bill of complaint.

THOMPSON AND WHITE
Solicitors for Respondents

By 

J. L. RUPLE,

Complainant,

VS.

MARY Y. GRICE, ET AL,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 4269

FINAL DECREE

This cause coming on to be heard on this date is submitted on behalf of Complainant upon the original verified bill of complaint, amendment to bill of complaint and answer and waiver of Respondents consenting and agreeing that the final decree be rendered in this cause without notice to them and consenting that the court enter a decree permanently enjoining them from trespassing on the property described in the original bill of complaint, from all of which it appears to the court that the Complainant is entitled to the relief prayed for in his original bill of complaint. It is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:

1. The Respondents, Mary Y. Grice, Charles D. Grice, Marion L. Grice, Annie Grice Doherty and Robert N. Grice and each of them are permanently and perpetually enjoined from trespassing upon the following described real property situated in Baldwin County, Alabama, to-wit:

Begin at the Southeast corner of Section 40, Township 3 South, Range 2 East, and run thence North 2 degrees West 2437 feet, more or less, to the point where the East line of the said Section 40 intersects the South line of Bayou Wiltz; thence Southwestwardly along Bayou Wiltz and following the meanders thereof to the point where the said Bayou intersects the South line of the said Section 40; run thence South 85 degrees East 2193 feet, more or less, to the point or place of beginning, and containing 55 acres, more or less.

2. That the Respondents pay the costs of this suit for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 20 day of December, 1960.


Judge

J. L. RUPLE) IN THE CIRCUIT COURT OF
 COMPLAINANT) BALDWIN COUNTY, ALABAMA.
 VS) IN EQUITY.
 MARY GRICE, ET AL,) CASE NO. _____
 RESPONDENTS)

TO THE HONORABLE H. M. HALL, CIRCUIT JUDGE, IN EQUITY:

Come Respondents, MARY GRICE and CHARLES D. GRICE, and for answer to the said complaint filed in said cause shows as follows:

1. Not guilty.

2. Your Respondents separately and severally disclaim the 30 acre parcel claimed by the said Complainant which parcel being described as follows: Begin at the Southeast corner of Section 40 T3S R2E and run North 287 feet for a point of beginning, thence run North 71 degrees 45 minutes West 1421 feet to a point on the water line at the mouth of "East Bayou Wiltz", thence follow the meanderings of East Bayou Wiltz and a creek running North and in an easterly direction intersecting the East line of said Section 40 at a point 1400 feet North of the point of beginning, being that parcel of Grice Land which lies East Bayou Wiltz.

3. That the said Mary Grice is the owner and in possession of that certain parcel of real property located and situated in Baldwin County, State of Alabama and more particularly described as follows: From the NE Cor. of Sec. 40, T3S, R2E, run N 85°W along Grant line 1100 ft. more or less to creek; th. Southerly following creek & its meanders to its intersection with the head of Byrne's Lake; th. continuing southerly along the East side of Byrne's lake to its intersection with north bank of "East Bayou Wiltz"; thence Northeastwardly with the north bank of said "East Bayou Wiltz" to a small creek flowing into it at its head, from the East; thence Eastward following said creek to the East boundary of said Grant Section 40; thence N02°W along Grant line 2150 feet more or less to the place of beginning; 60 acres more or less in Thomas Byrne Grant Sec. 40, T3S, R2E, Baldwin County, Alabama. From the Southeast corner of Thomas Byrne Grant Section 40, T3S, R2E, run N 02°W along the

East boundary of said grant 287 feet; thence run N 71° 45' W, 1421 feet to a point on the East or South margin of Byrne's Lake at the mouth of "East Bayou Wiltz"; thence run Southwestwardly following the meanders of the East (or South) bank of Byrne's Lake 990 feet more or less to a point on the south boundary of said Grant Section 40; thence run S 85° E along the south boundary of said Grant Section 40, 2193 feet to the point of beginning; 25 acres, more or less, in Thomas Byrne Grant Section 40, T3S, R2E, Baldwin County, Alabama.

4. That the said Complainant claims to be the owner of that certain piece of real property lying East of "East Bayou Wiltz", and said complainant's property being more fully described as: Begin at the Southeast corner of Section 40, T3S R2E and run North along the East Section line 287 feet to a point of beginning, thence run North 71 degrees 45 minutes West 1421 feet to a gum tree in the margin of the mouth of "East Bayou Wiltz" thence along the meanderings of said Bayou and a tributary creek in a Northerly and Easterly direction to the intersection of said creek with the East line of said Section 40 at a point 1400 feet North of the point of beginning being 30 acres more or less.

5. That a dispute exists between the said original complainant and the said Mary Grice as to the true and correct boundary line between their respective properties and that the boundary line between the property of the said Mary Grice and the property of the said J. L. Ruple is disputed.

PRAYER FOR RELIEF

The said Mary Grice and Charles D. Grice Respondents pray that this answer be taken as a cross bill and that the complainant be required to answer the allegations contained herein and that upon a hearing of this cause a decree will be made and entered establishing and defining the true and correct boundary line between the property of complainant and the property of the respondents.

Respondents pray for such other, further, different and general relief as in equity and good conscience they may be

entitled to in the premises, and your said Respondents will
ever pray, etc.

THOMPSON & WHITE

BY: 

Solicitors for Mary Grice and
Charles D. Grice.

4269

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FILED

AUG 11 1958

Alice J. Beck, Register

ASH.
14N.

ALICE J. DUCK, Circuit Clerk

Baldwin County
BAY MINETTE, ALA.

CERTIFIED MAIL
No. 134278

CERTIFIED
For delivery only to Person
To Whom Addressed
Return Receipt Requested

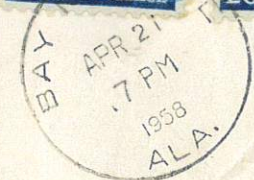
RETURNED TO WRITER
REASON REQUESTED
Unknown Reason
better address
Moved, but no address
no such

noted
4-23-58 JSD

Robert N. Grice
86 Edgemond Road
Asheville, North Carolina

RETURN RECEIPT REQUESTED

Second Notice. No Reply
To First Notice Mailed



ASHEVILLE
APR 12 1958
N. C.

ASHEVILLE, N. C.
MAY 12 3:00 PM
1958

BAY MINETTE
MAY 13
17 PM
1958
ALA.

1/11

J. L. RUPLE,) IN THE CIRCUIT COURT OF
 Complainant,) BALDWIN COUNTY, ALABAMA
 vs.) IN EQUITY.
 MARY Y. GRICE, ET AL.,)
 Respondents.)

WRIT OF INJUNCTION

TO MARY Y. GRICE, CHARLES D. GRICE, MARION L. GRICE, ANNIE GRICE DOHERTY, AND ROBERT N. GRICE:

WHEREAS, J. L. Ruple has filed a Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity and has obtained from the Honorable Hubert M. Hall, judge of the said Court, an order for the issuance of an injunction to restrain and enjoin you, as hereinafter mentioned; and

WHEREAS, the said Complainant, J. L. Ruple has, in accordance with the said order, entered into bond with security in the sum of One Thousand Dollars (\$1,000.00) payable and conditioned as provided by law;

NOW, THEREFORE, you and each of you are hereby commanded and strictly enjoined from trespassing on, cutting or removing timber from, and from changing the status quo of the following described property situated in Baldwin County, Alabama, to-wit:

Begin at the Southeast corner of Section 40, Township 3 South, Range 2 East; and run thence North 2 degrees West 2437 feet, more or less, to the point where the East line of the said Section 40 intersects the South line of Bayou Wiltz; thence Southwestwardly along Bayou Wiltz and following the meanders thereof to the point where the said Bayou intersects the South line of the said Section 40; run thence South 85 degrees East 2193 feet, more or less, to the point or place of beginning, and containing 55 acres, more or less.

until a final hearing of this cause, and until further orders of this Court.

IN WITNESS WHEREOF, I have hereunto set my hand, as Register, and affixed the seal of the said Court on this the

19 day of April, 1958.

Archie L. Smith
 Register.

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APR 19 1958
 BALDWIN COUNTY ALABAMA
 REGISTER'S OFFICE

Register
[Signature]

12 day of April, 1958.

Register, and signed the seal of the said Court on this the
12th day of April, 1958. I have personally set my hand, as
this Court.

FILED
APR 19 1958
ALICE J. DUCK, Register

4269

until a final hearing of this cause, and until further orders of
the Court, more or less.
point or place of beginning, and containing
area East 5103 feet, more or less, to the
of the said Section 40, and thence South 87 de-
where the said Byron intersects the South line
and following the meanders thereof to the point
with; thence southeasterly along Byron with
Section 40 intersects the South line of Byron
to the point where the East line of the said
North 5 degrees West 87 1/2 feet, more or less,
Township 3 South, Range 5 East, and run thence
East to the southeast corner of Section 40,

to-wit:
following described property situated in Baldwin County, Alabama,
removing same from, and from changing the status duo of the
conveyed and strictly enjoined from trespassing on, cutting or
NOW, WHEREFORE, you and each of you are hereby
ditioned as provided by law;

in the sum of One thousand Dollars (\$1,000.00) payable and con-
spondence with the said order, entered into bond with security

WHEREAS, the said Complainant, J. L. Kuble has, in
and enjoys her, as hereinafter mentioned; and

said Court, an order for the issuance of an injunction to restrain
has obtained from the Honorable Robert M. Hall, Judge of the

in the Circuit Court of Baldwin County, Alabama, in Baldwin and
WHEREAS, J. L. Kuble has filed a Bill of Complaint

DOHERTY, AND ROBERT M. GRIFFIN;
TO WALKER K. GRIFFIN, CHARLES D. GRIFFIN, MARION L. GRIFFIN, WHITE GRIFFIN
WITH AN INJUNCTION

Respondents.

WALKER K. GRIFFIN, ET AL.,
vs.

IN EQUITY.

Complainant;

BALDWIN COUNTY, ALABAMA

J. L. KUBLE,

IN THE CIRCUIT COURT OF

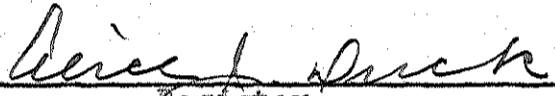
STATE OF ALABAMA

BALDWIN COUNTY

TO ANY LAW OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to summon MARY Y. GRICE, CHARLES D. GRICE, MARION L. GRICE, ANNIE GRICE DOHERTY AND ROBERT N. GRICE, to appear within thirty days from the service of this writ in the Circuit Court of Baldwin County, Alabama, in Equity, at the place of holding the same, then and there to plead, answer or demur to the Bill of Complaint filed against them by J. L. RUPLE.

WITNESS my hand this 19 day of April, 1958.



Register.

BILL OF COMPLAINT

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

The Complainant, J. L. Ruple, presents this Bill of Complaint against Mary Y. Grice, Charles D. Grice, Marion L. Grice, Annie Grice Doherty and Robert N. Grice, and thereupon the Complainant complains and shows unto the Court and your Honor as follows:

1. The Complainant is over twenty-one years of age and is a resident of Baldwin County, Alabama.

Mary Y. Grice and Charles D. Grice are each over twenty-one years of age and each reside in Baldwin County, Alabama.

Marion L. Grice is over the age of twenty-one years and a non-resident of the State, of Alabama, whose residence and Post Office address is Skyland, North Carolina.

Annie Grice Doherty is over the age of twenty-one years and a non-resident of the State of Alabama, whose residence and post office address is 12 Liberty Place, Weehawken, New Jersey.

Robert N. Grice is over the age of twenty-one years and a non-resident of the State of Alabama, whose residence and post office address is 86 Edgemond Road, Asheville, North Carolina.

2. Complainant claims to own and is in the actual, quiet and peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

Begin at the Southeast corner of Section 40, Township 3 South, Range 2 East; and run thence North 2 degrees West 2437 feet, more or less, to the point where the East line of the said Section 40 intersects the South line of Bayou Wiltz; thence Southwestwardly along Bayou Wiltz and following the meanders thereof to the point where the said Bayou intersects the South line of the said Section 40; run thence South 85 degrees East 2193 feet, more or less, to the point or place of beginning, and containing 55 acres, more or less.

3. The Respondents claim, or are reputed to claim some right, title or interest in, lien or encumbrance on the said lands; no suit is pending to enforce or test the validity of such title, interest in, lien or encumbrance on the said lands and the Complainant brings this Bill of Complaint against the said Respondents to settle the title to said lands and to clear up all

doubts and disputes concerning the same. The Complainant here and now calls upon the said Respondents to set forth and specify their right, title or interest in, lien or encumbrance on said lands, or any part thereof, and how and by what instrument the same is derived and created.

4. The Complainant is also in possession of and claims to own the timber growing on the above described lands.

On, to-wit, the 8th day of March, 1958, the Respondents, Mary Y. Grice and Charles D. Grice, or one of them, had a survey made of a part of the above described property, and on, to-wit, the 18th day of March, 1958, the Respondent, Mary Y. Grice, who is the same person as M. Y. Grice, made an escape tax assessment in the Office of the Tax Assessor of Baldwin County, Alabama, which assessment covered a part of the above described lands.

On, to-wit, March 15, 1958, the Respondents, Mary Y. Grice and Charles D. Grice, or one of them, sold timber to J. B. Jones, who caused the timber to be cut and removed on, to-wit, March 26, 1958, from a part of the lands which are claimed by the Complainant, and which are included in the said escape assessment.

Complainant is informed and believes and on such information and belief alleges the fact to be that the Respondents, or some of them, will cut and remove timber which is growing on the above described lands unless they are restrained from so doing, and the Complainant further alleges that the present status of the property involved in this suit should be maintained until a final hearing is had in this suit.

PRAYER FOR PROCESS

Complainant prays that the said Mary Y. Grice, Charles D. Grice, Marion L. Grice, Annie Grice Doherty and Robert N. Grice be made parties respondent to this Bill of Complaint and that the usual process of this Honorable Court do forthwith issue to them.

PRAYER FOR RELIEF

The Complainant prays for the following separate and several relief:

1. That a temporary writ of injunction be issued restraining the Respondents and each of them from trespassing on the above described property, from cutting and removing timber there-

from, and from changing the status quo of the said property pending a final hearing of this suit.

2. That upon a final hearing of this cause that this Court will make and enter a decree against the said Respondents, quieting Complainant's title to the said lands and adjudging and decreeing that the Complainant is the owner thereof in his own right; that the title thereto in him is forever quieted against the Respondents and adjudging and decreeing that they, and each of them, are without right, title or interest in the said lands, and have no encumbrance thereon.

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

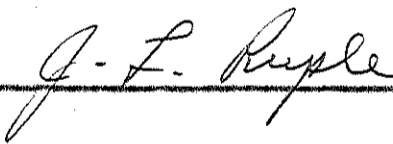

Solicitor for Complainant.

STATE OF ALABAMA

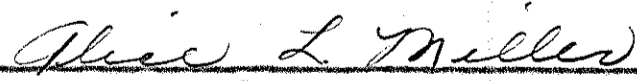
BALDWIN COUNTY

Before me, the undersigned authority, within and for said State and County, personally appeared J. L. Ruple, who, after being by me first duly and legally sworn, deposes and says:

That he is the Complainant in the above entitled cause; that he has read over the foregoing Bill of Complaint and that the facts stated therein are true.



Sworn to and subscribed before
me on this the 19th day of
April, 1958.



Notary Public, Baldwin County, Alabama.

TO ALICE J. DUCK, REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY:

Upon Complainant entering into bond with requisite
security in the sum of ONE THOUSAND DOLLARS (\$1,000.00) payable
and conditioned as provided by law, let an injunction issue
according to the prayer of the Bill of Complaint.

DATED this 19 day of April, 1958.

S/ Hubert M. Hall
Judge.

4598

FILED
APR 19 1958
CIRCUIT COURT
BALDWIN COUNTY
ALABAMA

