

3464

PETITION

JOHN HENRY WILLIAMS, JOHN
B. WILLIAMS, THOMAS JAMES,
O. C. ROBBINS AND RUBY DONALD,

COMPLAINANTS

VS

H. N. HALL

RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

Comes now the Complainants in the above styled cause and shows to your
Honors follows:

1.

That each Complainant is over the age of 21 years; that their names
and places of residence are as follows:

John Henry Williams, 1854 Chestan Street, Mobile, Alabama;
John B. Williams, Saraland, Alabama;
Thomas James, 410 N. Ann Street, Mobile, Alabama;
O.C. Ribbins, 410 N. Ann Street, Mobile, Alabama;
Ruby Donald, Mobile, Alabama.

2.

That the Respondent, H. N. Hall, is over the age of 21 years and is
a resident of Baldwin County, Alabama.

3.

That the Complainants and Respondent, H. N. Hall, are joint owners
and tenants-in-common of the Following described land located in Baldwin
County, Alabama, to-wit:

West half of Northwest quarter of Northwest quarter of
Section 35, Township 4 North, Range 3 East.

4.

That the Complainants are the owners of an undivided interest in the
land described in Section 3 of this petition, in the amounts now set out:
John Henry William, John B. Williams, Thomas James and O. C. Robbins each
own a 1/12 interest. Ruby Donald owns a 1/3 interest.

5.

The Respondent owns an undivided 1/3 interest in the land described
in Section 3 of this petition.

6.

The Complainants allege; that the nature of the land is such that the
same cannot be equitably divided; some of it being covered with timber
more valuable than the timber on other parts. That some of the land is
hilly and some of it level.

That the Complainant is desirous of terminating their tenancy-in-common and that a sale of the land would be to the best interest of the joint owners and tenants-in-common.

7.

The Complainants allege that it has become necessary for them to employ a Solicitor to represent them in this proceeding and that they have employed the law firm of Wilters & Brantley as such Solicitor.

PRAYER FOR PROCESS

THE PREMISES CONSIDERED, the Complainants pray that the said H. N. Hall be made party Respondent to this Bill of Complaint by the appropriate process of this court and that he be required to plead, answer or demur to this Bill of Complaint within the time provided by law and the rules of this Honorable Court and that in default hereof that said Bill of Complaint be taken as forever confessed.

PRAYER FOR RELIEF

THE PREMISES CONSIDERED, The Complainants pray that this Honorable Court will render a decree ordering a sale of said land for division of the proceeds therefrom between the joint owners and tenants-in-common thereof. The Complainants further pray that the Court will ascertain and fix a reasonable Solicitor's fee to be paid their Solicitor's of record, Wilters and Brantley, for the prosecution of this suit and cause this sum to be taxed as a part of the costs of this suit. The Complainants pray for such other, further, different and general relief as in equity and good conscience they may be entitled to receive.

Wilters & Brantley

BY:

Robert M Brantley
Solicitor for Complainants

NO 3464

received 10 day of Feb 1955

and on _____ day of _____ 19__

received a copy of the within _____

at _____

by service on _____

TAYLOR WILKINS, Sheriff

By _____ D. S.

JOHN HENRY WILLIAMS, ET AL,

COMPLAINANTS

VS

H. N. HALL

RESPONDENT

PO Box 107 return etc

I have executed the within writ by
leaving copy of same with

H. N. Hall

this the 18 day of Feb 1955

C. P. Lawler

MC

BILL OF COMPLAINT

FILED
FEB 9 1955

ALICE J. DUCK, Register

[Faint handwritten notes]

The State of Alabama, _____ County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon _____ H. N. Hall

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State _____ by _____

John Henry Williams et al

against _____ H. N. Hall

Herein fail not. Due return make of this writ as the law directs.

Witness this _____ 9th _____ day of _____ Feb _____, 19 55

W. J. ..., Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

The State of Alabama

..... COUNTY.

IN CIRCUIT COURT, IN EQUITY

vs.

SUMMONS

Returned by the Sheriff and filed in office, this the day of, 19....., Register.

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Received in office, this the day of, 19....., Sheriff.

I have executed the within by leaving a copy thereof with.....

defendant named herein, on this the day of, 19....., Sheriff. By....., Deputy.