

3495

PENDLETON J. SLAUGHTER
and MARY C. SLAUGHTER,

Complainants,

vs.

THOMAS FARLE,

Respondent.

X
X
X
X
X
X
X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and each and every paragraph thereof, says:

1. The Respondent admits the allegations of the first paragraph of the Bill of Complaint.
2. The Respondent denies the allegations of the second paragraph of the Bill of Complaint and demands strict proof thereof.
3. The Respondent admits the allegation in the third paragraph of the Bill of Complaint as to his owning Section 16 but denies all of the other allegations of the third paragraph of the Bill of Complaint and demands strict proof thereof.
4. For further answer to the Bill of Complaint and as a cross-bill, the Respondent says that he claims the true dividing line between the lands of the Complainants and the lands of such Respondent to be described as follows: Begin at a corner which is known in the community as the Paris Benjamin corner and which is located at what is known to be the Southwest corner of Section 15, the Southeast corner of Section 16, the Northeast corner of Section 21 and the Northwest corner of Section 22, Township 3 North, Range 3 East, and run thence West 5260 feet to a corner. That the Respondent does not know whether such corner was located at this point by the original Government survey as there is no evidence of the original Government markings and it cannot be located according to the original field notes. None of the Section corners of Section 16 or Section 21 can be located by the original Government field notes. In running Westwardly from the above mentioned corner the line as above described at a point 4265 feet West of such corner

runs 7 feet South of an old blazed pine tree which bears the original Government markings. That such tree indicates that the original Government survey ran approximately the same as the line which the Respondent claims to be the true dividing line between the lands of the Complainants and the lands of the Respondent.

5. The Respondent further shows that if he is mistaken in the line above referred to being the true Government line, then, in that event, he claims title by adverse possession to such line as he and those under whom he claims have for more than 20 years last past held actual, open, peaceable, notorious, continuous and adverse possession to such line claiming it to be his South boundary line regardless of whether it is the true line and such Respondent and those under whom he claims have, during that period of time, cut the timber South to such line and the Complainants and those under whom they claim have cut the timber North to such line. That there exists a dispute between the Complainants and the Respondent of a tract of land which is 128.7 feet in width at the East line of Section 16 and which is 143 feet in width at the West line of Section 16. That in such disputed strip of land at a point 3553 feet West of the Paris Benjamin corner there has existed for many years a house, garden and field. That such house was located entirely on the disputed strip of land, the garden was almost entirely on such disputed strip and approximately one-half of the field lay in such disputed strip of land. That such house was erected on such land more than 20 years prior to the filing of this suit and was prior to the time that Section 16 was purchased by your Respondent. That he purchased such land about May, 1938, and at the time of his purchase such house was occupied by Mary Brown, Blub Brown, Henry Brown, Elmore Brown, and others, who were a negro family. That on February 18, 1939, the said Blub Brown paid your Respondent rent for the house in which he was living and for the land which he was occupying and the said Blub Brown and the others of his family named above continued to pay rent on such property to your Respondent until January 1, 1949. That soon after that date the house was torn down or destroyed and the said family moved away from said land.

6. Your Respondent further shows that he purchased the Southwest Quarter of the Southwest Quarter of Section 15, Township 3 North, Range 3 East, from William Hampsher and wife on October 27, 1938; that said tract of land had as its Southwest corner such Paris Benjamin corner hereinabove referred to and such corner was considered to be the true corner by both your Respondent and William Hampsher. That the Paris Benjamin lands are described as the Northwest Quarter of Section 22, Township 3 North, Range 3 East, and Paris Benjamin, who is now dead, and his children who still reside on said property have considered the corner known as the Paris Benjamin corner to be their true Northwest corner for more than 40 years. That the Complainants and those under whom they claim have taken the Paris Benjamin corner to be correct in their holding possession of their land where they adjoin the Paris Benjamin land and until recently they had not claimed any land North of the line which the Respondent claims to be the true line. That they caused a survey to be made by Tunstall Bryars approximately 4 years ago and his survey has caused the Complainants to claim the land in dispute as above set out. However, according to the Tunstall Bryars survey the Northeast corner of Section 21 would be 557.7 feet West and 128.7 feet North of the Paris Benjamin corner. In other words, if the Tunstall Bryars survey should be held by this Court to be correct the Complainants would fail to join up to the Paris Benjamin land by a distance of 557.7 feet.

Your Respondent prays that this answer be taken as a cross-bill and that this Court will render a final decree ascertaining the true boundary line between the property owned by the Complainants and the property owned by the Respondent to be that line running 1 mile due West from the Paris Benjamin corner and that this Court will direct a competent surveyor to establish permanent stone or iron markers in accordance with Section 4, Title 47 of the 1940 Code of Alabama. Respondent prays for such other, further and general relief to which he may be entitled.

CHASON & STONE

FILED

June 16 1940

ALICE J. BOCK, Register

By:


Solicitors for Respondent.

BOOK 018 PAGE 303

SUMMONS

Form 1531-3

McQuiddy Printing Co., Nashville, Tenn.

The State of Alabama, Baldwin County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon Thomas Earle

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

Pendleton Slaughter and Mary C. Slaughter

against Thomas Earle

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

Witness this 24th day of March, 19 55

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.

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.

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

Your Orators, Pendleton J. Slaughter and Mary C. Slaughter, present this Bill of Complaint against Thomas Earle and, thereupon, your Orators complain and show unto the Court and your Honor as follows:

1. Your Orators are each over twenty-one years of age and reside in the City of Mobile, Mobile County, Alabama. The Respondent is over the age of twenty-one years and resides at Blacksher, Baldwin County, Alabama.

2. Your Orators, the Complainants, own the following described property situated in Baldwin County, Alabama, to-wit:

North half of Section twenty-one (21),
Township 3 North, Range 3 East;

3. The Respondent, Thomas Earle, owns the following described property situated in Baldwin County, Alabama, to-wit:

Section Sixteen (16), Township 3 North,
Range 3 East.

The above tract of land, which is owned by the Complainants, and the above described tract of land, which is owned by the Respondent, adjoin. The Complainants and the Respondent are co-terminous owners of the two said tracts of land and the boundary line between the two said tracts is disputed.

PRAYER FOR PROCESS

Complainants pray that the usual process of this Honorable Court forthwith issue to the Respondent, requiring him to appear and plead, answer or demur to the Bill of Complaint filed against him in this cause within the time and under the pains and penalties prescribed by law and the rules of this Court.

PRAYER FOR RELIEF

The Complainants pray for the following separate and several relief:

1. That the boundary line between the tract of land owned by the Complainants and the tract of land owned by the Respondent be established.

2. That the order or decree of this Court locate and define the boundary line between the property of the Complainants and that of the Respondent and direct a competent surveyor to establish permanent stone or iron land markers in accordance with the decree of this Court from which future surveys of the land embraced in the said judgment shall be made in the manner provided by Title 47, Section 4 of the 1940 Code of Alabama.

3. Complainants further pray for such other, further and general relief as they may be equitably entitled to, the premises considered.

Justin A. Madbery, Jr.
Solicitor for Complainants.

the true boundary line;

7. That the corner known as the "BAY TREE" Corner has, for many years, been known by and accepted by land owners in that vicinity as a definite land mark and the corner of the said sections hereinabove enumerated.

8. That the true boundary line between the lands of the Complainants in Section 21, Township 3 North, Range 3 East, and the lands of the Respondent in Section 16, Township 3 North, Range 3 East, is a line beginning at the old BAY TREE corner herein referred to, and running west for a mile to the Southwest corner of Section 16, Township 3 North, Range 3 East, and the Northwest corner of Section 21, Township 3 North, Range 3 East.

9. That the Respondent and his predecessors in title have, for many years, claimed to own, and have been in the possession of all of Section 16, Township 3 North, Range 3 East, down to the line running west from the old "BAY TREE" corner.

10. That neither the Complainants nor their predecessors in title have, at any time, claimed any lands north of the line running from the old "BAY TREE" corner west to the Northwest corner of Section 21, Township 3 North, Range 3 East;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the true boundary line between the lands of the Complainants, being the North Half of Section 21, Township 3 North, Range 3 East, and the lands of the Respondent, being Section 16, Township 3 North, Range 3 East, is a line beginning at the old "BAY TREE" corner and running west to the Southwest corner of Section 16, Township 3 North, Range 3 East, and the Northwest corner of Section 21, Township 3 North, Range 3 East.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Martin Simmons, a competent surveyor, be and he is hereby

authorized, directed and empowered to establish and designate, by permanent stone or iron marker, the true boundary line between the lands of the Complainants and the Respondent as herein defined; that he shall definitely mark the said boundary line by a permanent stone or other land mark, at the East end and another on the West end, and such other places as may be necessary and proper between the adjoining tracts of land on said line as herein fixed as the true boundary line between the respective parties; that on each marker there shall be placed: "Judicial Land Mark", and that he shall then make due report of his action to this Court as provided by Section 4, Title 47, of the 1940 Code of Alabama.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court retains jurisdiction of this matter for the issuance of such other orders and decrees as may be necessary and proper.

Dated this 8th day of July, 1955.

Hubert M. Hall
Judge, 28th Judicial Circuit
of Alabama.

PENDLETON J. SLAUGHTER
and MARY C. SLAUGHTER,

Complainants,

vs.

THOMAS EARLE,

Respondent.

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

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and each and every paragraph thereof, says:

1. The Respondent admits the allegations of the first paragraph of the Bill of Complaint.
2. The Respondent denies the allegations of the second paragraph of the Bill of Complaint and demands strict proof thereof.
3. The Respondent admits the allegation in the third paragraph of the Bill of Complaint as to his owning Section 16 but denies all of the other allegations of the third paragraph of the Bill of Complaint and demands strict proof thereof.
4. For further answer to the Bill of Complaint the Respondent says that he claims the true dividing line between the lands of the Complainants and the lands of such Respondent to be described as follows: Begin at a corner which is known in the community as the "Paris Benjamin" or "Bay Tree" corner and which is located at what is known to be the Southwest corner of Section 15, the Southeast corner of Section 16, the Northeast corner of Section 21 and the Northwest corner of Section 22, Township 3 North, Range 3 East, and run thence West 5280 feet to a corner, which is the Southwest corner of said Section 16. That the Respondent does not know whether such corners were located at these points by the original Government survey as there is no evidence of the original Government markings and they cannot be located according to the original field notes. None of the Section corners of Section 16 or Section 21 can be located by the original Government field notes. In running Westwardly from the above mentioned Southeast corner the line as above described, at a

point 4265 feet West of such corner, runs 7 feet South of an old blazed pine tree which bears the original Government markings. That such tree indicates that the original Government survey ran approximately the same as the line which the Respondent claims to be the true dividing line between the lands of the Complainants and the lands of the Respondent.

5. The Respondent further shows that if he is mistaken in the line above referred to being the true Government line, then, in that event, he claims title by adverse possession to such line as he and those under whom he claims have for more than 30 years last past held actual, open, peaceable, notorious, continuous and adverse possession to such line claiming it to be his South boundary line regardless of whether it is the true line and such Respondent and those under whom he claims have, during that period of time, worked the pine trees located thereon for turpentine purposes and cut the timber South to such line and the Complainants and those under whom they claim have cut the timber North to such line, and not beyond. That there exists a dispute between the Complainants and the Respondent of a tract of land which is 128.7 feet in width at the East line of Section 16 and which is 143 feet in width at the West line of Section 16. That in such disputed strip of land at a point 3558 feet West of the Paris Benjamin corner there has existed for many years a house, garden and field. That such house was located entirely on the disputed strip of land, the garden was almost entirely on such disputed strip and approximately one-half of the field lay in such disputed strip of land. That such house was erected on such land more than 20 years prior to the filing of this suit and was prior to the time that Section 16 was purchased by your Respondent. That he purchased such land about May, 1938, and at the time of his purchase such house was occupied by Mary Brown, Blub Brown, Henry Brown, Elmore Brown, and others, who were a negro family. That on February 18, 1939, the said Blub Brown paid your Respondent rent for the house in which he was living and for the land which he was occupying and the said Blub Brown and the others of his family named above continued to pay rent on such property to your Respondent until January 1, 1949. That soon after that date the house was torn down or

BOOK 018 PAGE 306

destroyed and the said family moved away from said land.

6. Your Respondent further shows that he purchased the Southwest Quarter of the Southwest Quarter of Section 15, Township 3 North, Range 3 East, from William Alex Hampsher and wife on October 27, 1938; that said tract of land had as its Southwest corner such Paris Benjamin corner hereinabove referred to and such corner was considered to be the true corner by both your Respondent and William Alex Hampsher. That the Paris Benjamin lands are described as the Northwest Quarter of Section 22, Township 3 North, Range 3 East, and Paris Benjamin, who is now dead, and his children who still reside on said property have considered the corner known as the Paris Benjamin corner to be their true Northwest corner for more than 40 years. That the Complainants and those under whom they claim have taken the Paris Benjamin corner to be correct in their holding possession of their land where they adjoin the Paris Benjamin land and until recently they had not claimed any land North of the line which the Respondent claims to be the true line. That they caused a survey to be made by Tunstall Bryars approximately 4 years ago and his survey has caused the Complainants to claim the land in dispute as above set out. However, according to the Tunstall Bryars survey the Northeast corner of Section 21 would be 557.7 feet West and 128.7 feet North of the Paris Benjamin corner. In other words, if the Tunstall Bryars survey should be held by this Court to be correct the Complainants would fail to join up to the Paris Benjamin land by a distance of 557.7 feet.

Having answered said Bill of Complaint, the Respondent prays that he be granted the relief to which he is entitled under this answer.

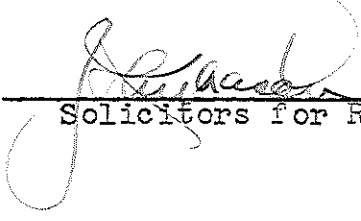
FILED

June 28 1938

ALICE J. MOORE, Register

CHASON & STONE

By:


Solicitors for Respondent.

BOOK 018 PAGE 307

RECORDED

ANSWER

PENDLETON J. SLAUGHTER and MARY
C. SLAUGHTER,

Complainants,

vs.

THOMAS EARLE,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Filed this 28th day of June, 1955.

Reece J. Mearns

Register.

PENDLETON J. SLAUGHTER and
MARY C. SLAUGHTER,

Complainants,

VS.

THOMAS EARLE,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3495

Comes the Respondent in the above styled cause and for answer to the motion filed in said cause says

1. In answer to the first ground of the motion the Respondent denies that Thomas Earle testified that he had built a fence on the land which was claimed by the Complainants. His testimony in said case was to the effect that he did not build the fence but that he furnished the posts and the wire and the fence was erected by others in the community who had cattle and who desired to build such fence. The Respondent says further that through one of his solicitors of record, John Chason, that the Complainants were informed through their solicitor that the Respondent would have such fence removed and erected along the true line which was later determined by this Court to be the true line between the lands of the parties. That this conversation between the solicitors for the Complainant's and the Respondent was prior to the filing of the suit in this Court.

2. In answer to the second ground of the motion the Respondent says that the witnesses subpoenaed by him did not testify to substantially the same facts; that the only facts about which all of them testified were the facts in relation to where the true dividing line, between the property of the Complainants and the Respondent, was located. That the witness Norman Durant was the surveyor and testified as to facts he ascertained by his survey. That the witness U. E. Bradley testified as to turpentine operations he conducted on the lands of the Respondent approximately thirty years ago and where the true line was located. That the witness Jessie Jenks testified as to timber that was cut on the lands of the Respondent many years ago and timber that was cut on the lands of the Complainants recently

and where the true line was located. That the witness Frank Earle testified as to where the corner was located East of said lands, which would tie in with the true line as set out by the Respondent. That the witness Alex Hampsher testified that he once owned land lying East of the Respondent's land and where his true Southwest corner was located. That the witness Rube York testified that he accompanied Government surveyors in running a line between the lands of the Complainants and the Respondent and where such line was located. That the witness Henry Brown testified as to his possession of the lands in dispute and that he paid rent to the Respondent.

The Respondent says that the costs which accrued in this case were properly taxed against the Complainants in the decree rendered by this Court.

CHASON & STONE

FILED
Sept. 12 1955
ALICE A. [unclear]

By: [Signature]
Solicitors for Respondent.

RECORDED

ANSWER TO MOTION

PENDETON J. SLAUGHTER and
MARY C. SLAUGHTER,

Complainants,

VS.

THOMAS EARLE,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3495

Filed September 12, 1955.

Alice J. Drey
Register. D-7.

PENDLETON J. SLAUGHTER AND
MAY SLAUGHTER,

COMPLAINANTS

VS.

THOMAS EARLE,

RESPONDENT.

IN THE

CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA

IN EQUITY

TO: THE HONORABLE HUBERT M. HALL, JUDGE OF SAID COURT.

I, the undersigned B. M. Simmons, pursuant to a decree of this court dated July 8, 1955, ordering me to perform certain duties as outlined in said decree, herewith respectfully submit my report as follows, to wit:

1. That I have established and designated the Section Corner between Sections 15, 16, 21, and 22, known as the "BAY TREE" corner by setting a permanent concrete corner, marked JUDICIAL LANDMARK with the designation of the location stamped on a bronze disc set in the top of said marker.
2. That I have established and designated the Section Corner between Sections 16, 17, 20, and 21 at a point 80.00 chains due West of the above described "BAY TREE" corner and set a concrete corner as described above.
3. That the total fee due me for my services, including the cost of furnishing and placing the appropriate markers is \$42.00 .

According to my survey this the 11th day of August, 1955.

B M Simmons

B. M. Simmons
Ala. Reg. No. 1585

PENDLETON J. SLAUGHTER AND
MARY C. SLAUGHTER,
Complainants,
VS.
THOMAS EARLE,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 3495

MOTION TO RETAX COSTS

Comes the complainants in the above styled cause and moves this Honorable Court to retax the costs in the above styled cause, which, by Decree of this Honorable Court, dated 19 August 1955, were taxed against your complainants, and for grounds for said motion assign the following, separately and severally:

1. The Respondent, THOMAS EARLE, while testifying in his behalf at the trial of this cause, admitted that he had built his fence over the line, which he claimed to be the true dividing line between his property and the property of the complainants, and that said fence was, in places, over on the lands of the complainants.

2. At the trial of this cause, the respondent had subpoenaed some seven witnesses, all of whom testified to substantially the same facts.

Jessie A. Madibury
Soliditor for Complainants

The above motion is set down for hearing at 9:00 A. M. on the 17 day of Sept, 1955.

Hubert M. Steer
Circuit Judge

I hereby accept service of a copy of
within motion and waive further notice of
same and of day set for hearing -
Walter Price Sept 7th 1955
Hubert M. Steer
Soliditor for Respondent

RECORDED
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 3495.

PENDLETON J. SLAUGHTER AND
MARY C. SLAUGHTER,

Complainants,

VS.

THOMAS EARLE,

Respondent.

MOTION TO RETAX COSTS.

FILED
SEP 8 1955
ALICE J. BUCK, Register

PENDLETON J. SLAUGHTER,
and MARY C. SLAUGHTER,

Complainants,

vs.

THOMAS PARLE,

Respondent.

I
I
I IN THE CIRCUIT COURT OF
I BALDWIN COUNTY, ALABAMA
I
I IN EQUITY
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Comes the Respondent in the above styled cause and demurs to the Bill of Complaint filed by the Complainants in said cause and to each and every paragraph thereof separately and severally and assigns the following separate and several grounds in support thereof, viz:

1. That said Bill of Complaint does not state a cause of action.

2. That Paragraph 3 of said Bill of Complaint fails to allege the location of the true line dividing said properties or that the location thereof is unknown to the Complainants.

3. That it is not alleged in said Bill of Complaint that there is a dispute between the Complainants and the Respondent as to the true dividing line between their tracts of land.

4. The allegation in the third paragraph of the Bill of Complaint that the Complainants and the Respondent are co-terminous owners of the two said tracts of land and the boundary line between the two said tracts is disputed is but a conclusion of the Pleader and does not allege that such boundary line is disputed by the Complainants and the Respondent.

FILED

April 21, 1955

ALICE L. BROWN, Registrar

CHASON & STONE

By: *[Signature]*
Solicitors for Respondent.

3495-

RECORDED

DEMURRER

PENDLETON J. SLAUGHTER, and
MARY C. SLAUGHTER,

Complainants,

vs.

THOMAS EARLE,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Filed this 21st day of April, 1955.

Archie J. Hensley
Register.

PENDLETON J. SLAUGHTER AND
MARY C. SLAUGHTER,

Complainants,

VS.

THOMAS EARLE,

Respondent.

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

DECREE SUSTAINING DEMURRER.

This cause coming on to be heard is submitted on complainants' demurrer to respondent's cross-bill and the same being considered and understood by the Court and the Court being of the opinion that said demurrer is well taken and is due to be sustained; IT IS, THEREFORE,

ORDERED, ADJUDGED AND DECREED that the complainants' demurrer to the respondent's cross-bill be, and it is hereby, sustained.

Done this 28th day of June, 1955.

Hubert M. Hill
CIRCUIT JUDGE, SITTING IN EQUITY.

RECORDED

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. _____.

PENDLETON J. SLAUGHTER AND

MARY C. SLAUGHTER,

Complainants,

VS.

THOMAS EARLE,

Respondent.

DECREE SUSTAINING DEMURRER.

FILED

JUN 28 1955

ALICE J. DUCK, Clerk

PENDLETON J. SLAUGHTER
AND MARY C. SLAUGHTER,
Complainants,
VS.
THOMAS EARLE,
Respondent.

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

DEMURRER.

Comes the complainants in the above styled cause and demur to the cross-bill heretofore filed in said cause by the respondent, and to each and every aspect thereof, separately and severally, and, for grounds of demurrer, separately and severally, assign the following:

ONE.

There is no equity in said cross-bill.

SECOND.

Said cross-bill seeks no relief not available to the respondent under the statutory proceedings.

THIRD.

Respondent can assert title to disputed territory in suit to establish disputed boundary line on theories of adverse possession and estoppel, by answer only and not by cross-bill.

Julian J. Madhewy Jr.
SOLICITOR FOR COMPLAINANTS.

I certify that I have this 25th day of June, 1955, mailed a copy of the foregoing demurrer to Hon. John Chason, Bay Minette, Alabama, in a properly addressed and stamped envelope.

FILED
6-25-55

Julian J. Madhewy Jr.
SOLICITOR FOR COMPLAINANTS.

MADE I. BULL, REC-22

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

RECORDED

PENDLETON J. SLAUGHTER
AND MARY C. SLAUGHTER,
Complainants,

VS.

THOMAS EARLE.

DEMURRER TO CROSS-BILL.

*Filed 6-25-55
Order clerk
Ry-*

PENDLETON J. SLAUGHTER AND
MARY C. SLAUGHTER,

Complainants,

vs.

THOMAS EARLE,

Respondent.

|
 |
 | IN THE CIRCUIT COURT OF
 | BALDWIN COUNTY, ALABAMA
 | IN EQUITY NO. 3495
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This cause coming on to be heard on the motion filed by the Complainants in said cause to retax the costs which have accrued in said cause and which the Complainants were ordered to pay by a decree rendered by this Court on August 19, 1955, and on the answer to such motion filed by the Respondent in said cause and said matter having been submitted on the evidence taken orally before the Court in the trial of said cause and the Court having considered the same is of the opinion that such motion should be denied.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the motion to retax the costs which was filed by the Complainants in said cause be, and the same hereby is, denied.

Done this 20 day of September, 1955.

Hubert M. Face

 Judge.

RECORDED

Register.

Miss J. Moore

1955.

Filed this 22 day of September,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 3495

Respondent.

THOMAS HARRIE,

vs.

Complainants,

PENDLETON J. SLAUGHTER AND
MARY C. SLAUGHTER,

ORDER DENYING MOTION

RECORDED

FILED

SEP 20 1955

ALICE I. BOCK, Register

3495