

41029

DAVID CHAPMAN

COMPLAINANT

VS

G. W. CLEMENTS

RESPONDENT

*
*
*
*
*
*

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

This cause being regularly called, on this a regular day for the calling of the docket of this court, and the Complainant or his Attorney of Record not answering and the Respondent being present in court and announcing ready,

IT IS ORDERED by the Court that this cause be dismissed and said cause is hereby dismissed by the court and the costs of the same is hereby taxed against the Complainant in this cause, for which let execution issue if the same be not paid and the Respondent may go hence without delay in said cause.

Dated and entered this the 23 day of December, 1957.

Hubert M. Hall

Judge of the 28th Judicial Circuit.

DAVID CHAPMAN

COMPLAINANT

VS

G. W. CLEMENTS

RESPONDENT

*
*
*
*
*
*

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

This cause being regularly called, on this a regular day for the calling of the docket of this court, and the Complainant or his Attorney of Record not answering and the Respondent being present in court and announcing ready,

IT IS ORDERED by the Court that this cause be dismissed and said cause is hereby dismissed by the court and the costs of the same is hereby taxed against the Complainant in this cause, for which let execution issue if the same be not paid and the Respondent may go hence without delay in said cause.

Dated and entered this the _____ day of December, 1957.

Judge of the 28th Judicial Circuit.

DAVID CHAPMAN
COMPLAINANT
VS.
G. W. CLEMENTS
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

To the Honorable Hubert M. Hall, Judge of the Circuit Court of Baldwin County, Alabama, In Equity Sitting:

Your complainant David Chapman respectfully shows unto your honor:

1. That your complainant David Chapman is over the age of Twenty-one years and is a resident of Baldwin County, Alabama; That the respondent G. W. Clements is over the age of twenty-one years and is a resident of Baldwin County, Alabama.

2. That your complainant is the owner and holds the possession and has held the possession continuously for the past six years of the following described real property situated in Baldwin County, Alabama, to-wit:

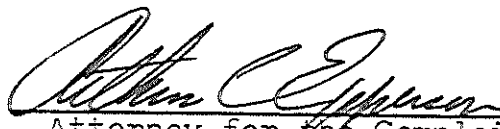
Beginning at the Southwest Corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 32, Township Seven South, Range Four East, run North on the half section line 170 feet, thence East 145 feet for a begging corner; thence run East 125 feet to a point; run thence North 145 feet; run thence West 125 feet to a point; run thence South 145 feet to the point of beginning.

3. That the complainant has paid the taxes regularly and annually on said property for each year since 1950 except for the year of 1952.

4. That the respondent has never been in possession of the above described property but has obtained a tax title to said property by virtue of a ~~tax~~ sale for the taxes due for the year of 1952; that the respondent has not subsequent to said purchase assessed said property for taxation nor paid taxes thereon.

5. The complainant further avers that said described property is his homestead where he regularly resides.

The premises considered the complainant prays that your Honor will take jurisdiction of the subject matter above set out and the parties to this cause; that the respondent ~~be made~~ G. W. Clements be made a party respondent to this bill of complaint and that summons issue to the said respondent requiring him to answer, plead or demur to the bill of complaint within the time required by law; your complainant further prays that on a final hearing of this cause that you will enter a decree finding the complainant entitled to redemption of said property from the tax sale and that your Honor will grant such other, further or differen trelief as to your Honor may seem meet and proper. The coplainant offers to do equity.


Attorney for the Complainant

DEFENDANTS ADDRESS:
G.W. Clements
Silverhill, Ala.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DAVID CHAPMAN,
COMPLAINANT

VS.

G. W. CLEMENTS
RESPONDENT

BILL OF COMPLAINT

FILED
MAY 11 1957
ALICE I. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALA.

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No.

..... TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon G. W. CLEMENTS

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against _____

G. W. CLEMENTS _____, Defendant

by DAVID CHAPMAN _____

_____, Plaintiff.....

Witness my hand this 11th day of May 19....57..

David Chapman, Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

DAVID CHAFMAN

Plaintiffs

vs.

G. W. CLEMENTS

Defendants

SUMMONS and COMPLAINT

Filed 5-11-57, 19.....

Alice J. Duck

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

5-11, 1957

Sheriff

I have executed this summons

this 14 May, 1957

by leaving a copy with

G.W. Clements

Sheriff claims 60 miles at
Ten Cents per mile Total \$ 6.00

TAYLOR WILKINS, Sheriff

BY Childress
DEPUTY SHERIFF

Taylor Wilkins Sheriff
Childress Deputy Sheriff

Silverhill

DAVID CHATMAN

COMPLAINANT

VS.

G. W. CLEMENTS

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Comes the Respondent in the above-entitled cause, appearing specially and only for the purpose of filing this plea, and says that the said DAVID CHATMAN, Complainant in this cause, ought not to have and maintain his said suit for the Respondent says, separately and severally, as follows, to-wit:

FIRST

That said cause is res judicata in that, an action of ejectment having been filed in the Circuit Court of Baldwin County, Alabama on June 22, 1956 and amended on July 27, 1956, being case number 2956; judgment was rendered for G. W. Clements, Plaintiff in said cause and against David Chatman, Defendant in said cause, for the property sued for, to-wit: begin at SW cor of SW/Se 32-75-4E run North on sec line 170 ft., E 125 ft. for beginning corner, thence E 125 ft., N 125 ft., W 125 ft., S 125 ft. to beginning sec 32-75-4-126 acres situated in Baldwin County, Alabama

Wherefore, Respondent says that the Circuit Court of Baldwin County, Alabama, is without jurisdiction to try and determine this cause, and that this said action should be abated, and prays the judgment of this Honorable Court whether the Complainant should be allowed to further maintain this suit.

G. W. Clements
G. W. Clements, Respondent

C. D. Brown
Attorney for Respondent

STATE OF ALABAMA
BALDWIN COUNTY

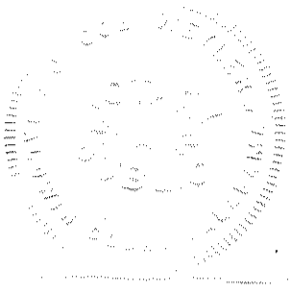
Before me, Jacob Keyler, a Notary Public, in and for said County in said State, personally appeared G. W. Clements, who, being known to me, and by me first duly sworn, deposes and says on oath: That he is the Respondent in the above entitled cause, and has personal knowledge of the facts stated in the foregoing pleas and that the said statements of fact therein contained are true.

Jacob Keyler
Notary Public

G. W. Clements
Notary Public



Sworn to and subscribed before me, this the 19 day of June,
1957.



Jacob Keyler
Notary Public, Baldwin County, Alabama.

DAVID CHAPMAN

COMPLAINANT

VS

G. W. CLEMENTS,

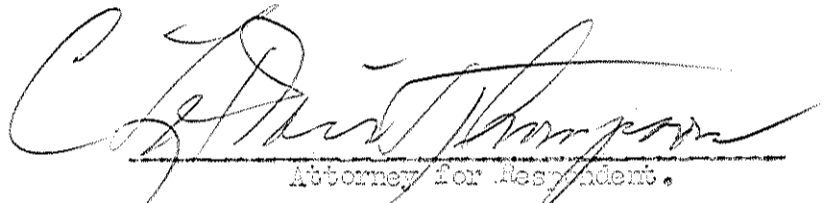
RESPONDENT

IN THE CIRCUIT COURT OF

RAIDWY COUNTY, ALABAMA

IN EQUITY.

Comes C. LeNoir Thompson, as attorney for the Respondent in the above styled cause and files his appearance in said cause requesting permission of the court for an extention in which to file pleading. Said request being based on the illness of said attorney.


Attorney for Respondent.