

560

The State of Alabama,  
Baldwin County.

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY.

To any Sheriff of the State of Alabama--GREETING :

WE COMMAND YOU, That you summon Agostino Guarisco,

of Baldwin County, to be and appear before the Judge of the Circuit Court  
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by  
Marguerite Shonts and Bingham and Theodora  
de Chaulnes,

against said Agostino Guarisco,

and further to do and perform what said Judge shall order and direct in that behalf. And this the  
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return  
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 20th day of

January 1926

T. W. Richerson Register.

N. B. - Any party defendant is entitled to a copy of the bill upon application to the Register.

*Original*

*2nd  
all*

SERVE ON  
Circuit Court of Baldwin County  
In Equity.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

No.  
SUMMONS

Received in office this *Jan*  
day of *20* 192*6*

Marguerite Shonts  
Bingham and ~~Associates~~  
& ~~Associates~~, Theodora de  
Chaulnes,

*M R Sams*  
Sheriff.

Executed this *20* day of  
*January* 192*6*

By leaving a copy of the within Summons with  
*Agostino Guarisco*  
Defendant.

vs.  
Agostino Guarisco,

*M R Sams*  
Sheriff.

*Deputy*

By *A. Van der Tuin*  
Deputy Sheriff.

Gordon & Eddington.  
Solicitor for Complainant

Recorded in Vol. Page

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALA.

Comes Marguerite Shonts Bingham and Theodora de Chaulnes, and files this their bill of complaint against Agostino Guarisco, alleging as follows:

That they are the owners of certain real property, located in Baldwin County, State of Alabama, to-wit:

Approximately one hundred and six (106) acres of land, located on the East side of Mobile Bay of approximately 1510 feet and extending Eastwardly to the Public Road, being located in Fractional Sections 17 and 18 in Township 5 South, Range 2 East, and known as the Shonts Estate, a particular description of which is found in that certain deed from Milla D. Shonts and Theodore P. Shonts to Marguerite Amelia Shonts and Theodora de Chaulnes, which deed is found recorded in Record Book No. 19 N. S., pages 545-6 of the Baldwin County Records.

They further show unto your Honor that the defendant is trespassing upon the said property, cutting and removing pine trees therefrom and doing very material damage thereto. That the complainants are the owners of the said property and are in the possession of the same and that the defendant has been and is going upon the said lands and cutting the pine timber therefrom, thereby greatly damaging the said property, causing complainants to suffer an irreparable loss.

Wherefore, complainants pray that your Honor will take jurisdiction of this bill of complaint and cause proper subpoena to be had upon the defendant, requiring him to plead, answer or demur to this bill of complaint within the time provided by law.

Complainants further pray that your Honor will grant unto them an injunction against the said defendant, enjoining him from further trespassing upon the said described property and cutting any timber therefrom or otherwise damaging the same.

Complainants pray for such other and further relief as may seem just, and will so ever pray, etc.

  
SOLICITORS FOR COMPLAINANTS.


FOOT NOTE:

The defendant is required to answer each and every allegation of the foregoing bill of complaint, but not under oath, his oath thereto being hereby expressly waived.


  
SOLICITORS FOR COMPLAINANTS.

STATE OF ALABAMA,  
COUNTY OF MOBILE.

Personally appeared before me, Jamie McDavid, a Notary Public, in and for said State and County, Rutherford Bingham, who being by me first duly sworn, deposes and says that he is the duly authorized agent of the complainants in the above entitled cause and that the facts alleged therein are true.

  
\_\_\_\_\_

Subscribed and sworn to before me this 19th day  
of January, 1926.

  
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT OF

BALDWIN COUNTY, ALA.

Comes Marguerite Shonts Bingham and Theodora de Chaulnes, and files this their bill of complaint against Agostino Guarisco, alleging as follows:

That they are the owners of certain real property, located in Baldwin County, State of Alabama, to-wit:

Approximately one hundred and six (106) acres of land, located on the East side of Mobile Bay of approximately 1510 feet and extending Eastwardly to the Public Road, being located in Fractional Sections 17 and 18 in Township 5 South, Range 2 East, and known as the Shonts Estate, a particular description of which is found in that certain deed from Milla D. Shonts and Theodore P. Shonts to Marguerite Amelia Shonts and Theodora de Chaulnes, which deed is found recorded in Record Book No. 19 N. S., pages 545-6 of the Baldwin County Records.

They further show unto your Honor that the defendant is trespassing upon the said property, cutting and removing pine trees therefrom and doing very material damage thereto. That the complainants are the owners of the said property and are in the possession of the same and that the defendant has been and is going upon the said lands and cutting the pine timber therefrom, thereby greatly damaging the said property, causing complainants to suffer an irreparable loss.

Wherefore, complainants pray that your Honor will take jurisdiction of this bill of complaint and cause proper subpoena to be had upon the defendant, requiring him to plead, answer or demur to this bill of complaint within the time provided by law.

Complainants further pray that your Honor will grant unto them an injunction against the said defendant, enjoining him from further trespassing upon the said described property and cutting any timber therefrom or otherwise damaging the same.

Complainants pray for such other and further relief as may seem just, and will so ever pray, etc.

  
SOLICITORS FOR COMPLAINANTS.

The State of Alabama, }  
Baldwin County.

No. 561 CIRCUIT COURT, IN EQUITY

Marguerite Bingham & Theodora de Chalmers Complainants

vs.  
Agostino Guariseo Defendant

In this cause it appears to the Court  
that a Summons requiring the Defendant Agostino Guariseo

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said  
Summons upon Agostino Guariseo  
was served upon him by the Sheriff of Baldwin County, Alabama, on the  
27th day of January 1926.

And the said Defendant having failed to demur, plead to or answer the said Bill of Complaint to this date,  
it is now, therefore, on motion of Complainants do  
ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed  
against the said Agostino Guariseo

Defendant aforesaid.  
This 12 day of January 1926  
John D. Leigh  
Judge Register

*an*

No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.

Vs.



DECREE PRO CONFESSO ON  
PERSONAL SERVICE.

Issued April 12 1926

*D. Williams*

Register.

RECORDED

Margurite Shonts Bingham  
and Theodora de Chaulnes,  
Complainants

vs.

Agostino Guarisco,  
Defendant

)  
( In the Circuit Court,

)  
( Baldwin County, Alabama.

)  
( No. 561 In Equity.

This cause coming on to be heard is submitted for final decree on sworn bill of complaint and decree pro confesso as noted by the Register and upon due consideration the court is of the opinion that Complainants are entitled to the relief prayed;

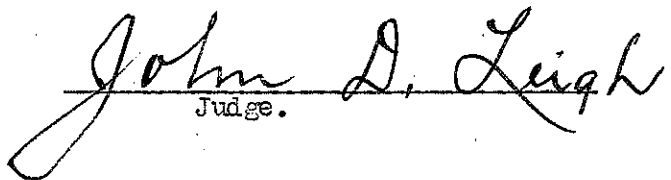
It is therefore ordered, adjudged and decreed by the court that the Defendant Agostino Guarisco be and he is hereby perpetually enjoined and prohibited from entering upon, from cutting and removing any tree from and from committing any other trespass <sup>upon and from doing</sup> ~~or doing~~ injury or damage of any nature or kind whatsoever to that certain real property situate in the County of Baldwin, State of Alabama, and described as follows:

Approximately one hundred and six (106) acres of land, located on the East side of Mobile Bay, of approximately 1510 feet and extending Eastwardly to the public road, being located in Fractional Sections seventeen (17) and eighteen (18), in Township five (5) South, Range two (2) East, and known as the Shonts Estate, a particular description of which is found in that certain deed from Milla D. Shonts and Theodore P. Shonts to Margurite Amelia Shonts and Theodora de Chaulnes, which deed is found recorded in Record Book No. 19NS, pages 545-6 of the Baldwin County Records.

It is further ordered, adjudged and decreed that the Defendant pay all costs of this proceeding for which let execution issue.

Ordered and decreed in term time this the 13th day of April,

1926.

  
Judge.



13

M

No 561.

In Equity

Marguerite Shanks Bingham,  
et al

vs

Agostino Guarisco

---

Fond Deal

~~at~~  
~~Marguerite~~  
~~Shanks~~

Recorded on  
minutes  
Page 215

RECORDED

The State of Alabama, }  
Baldwin County.

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY.

To any Sheriff of the State of Alabama—GREETING :

WE COMMAND YOU, That you summon Agostino Guarisco,

of Baldwin County, to be and appear before the Judge of the Circuit Court  
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

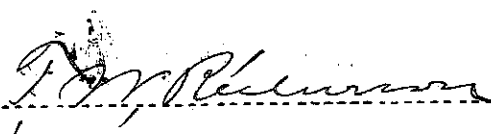
Marguerite Shonts Bingham and Theodore Chaulnes,

against said Agostino Guarisco,

and further to do and perform what said Judge shall order and direct in that behalf. And this the  
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return  
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 26th day of

January, 192 6.

 Register.

N. B.— Any party defendant is entitled to a copy of the bill upon application to the Register.

*Original*

SERVE ON  
Circuit Court of Baldwin County  
In Equity.

No.

SUMMONS

Marguertie Shonts Bingham  
and Theodore Chaulmes,

vs.

Agostino Guarisco.

Gordon & Eddington.

Solicitor for Complainant

Recorded in Vol. Page

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

Received in office this  
day of 192

Sheriff.

Executed this *27<sup>th</sup>* day of  
*January* 192*6*

by leaving a copy of the within Summons with  
*Agostino Guarisco*

Defendant.

*W R Stuart*

Sheriff.

By *W B Ferrell*  
Deputy Sheriff.

**RECORDED**

THE STATE OF ALABAMA,

Baldwin

County.

CIRCUIT COURT, IN EQUITY.

To any Sheriff of the State of Alabama—GREETING:

We command you that without delay you execute this Writ, and due return thereof how you have executed the same make to us immediately.

To Agostino Guarisco,

Marguerite Shonts Bingham, and  
WHEREAS/ Theodora de Chaulnes,

have this day filed a Bill of Complaint in said Court against Agistino Guarisco,

praying, among other things, to restrain and enjoin one Agostino Guarisco

from further trespassing upon or cutting timber off of that certain real property in Baldwin County, Alabama, known as the Shonts Estate, and more particularly described as follows:

Approximately one hundred and six (106) acres of land, located on the East side of Mobile Bay approximately 1510 feet and extending Eastwardly to the Public Road, being located in Fractional Sections 17 and 18 in Township 5 south, Range 2 East, and known as the Shonts Estate, a particular description of which is found in that certain deed from Milla D. Shonts and Theodore P. Shonts to Marguerite Amelia Shonts and Theodore de Chaulnes, which deed is found recorded in Record Book No. 19 N.S., pages 545-6 of the Baldwin County Records.

And whereas, on said Bill of Complaint being exhibited to the Hon. John D. Leigh,

Judge of the Circuit Court of Baldwin

County, of the State of Alabama, on the

25th day of January, 1926,

he did order that, upon Complainant entering

into bond, with sureties, in the sum of Two thousand

Dollars,

payable to the Defendant and approved by the Clerk of this Court, and conditioned according to law, a Writ of

Injunction issue out of said Court, according to the prayer of said Bill; and whereas, bond has been given, as required by said order.

These, therefore, are to command and strictly enjoin you from trespassing upon or cutting timber off that certain real property in Baldwin County, Alabama, known as the Shonts Estate and more particularly described as follows: Approximately one hundred and six (106) acres of land located on the East side of Mobile Bay, approximately 1510 feet and extending Eastwardly to the Public Road, being located in Fractional Section 17 and 18 in Township 5 south of Range 2 East, and known as the Shonts Estate, a particular description of which is found in that certain deed from Milla D. Shonts and Theodore P. Shonts, to Marguerite Amelia Shonts and Theodore Chaulnes, which deed is found recorded in Record Book No. 19. N.S. pages 545 -46 of the Baldwin County Records.

until further order of this Court. And this you will in nowise omit, under penalty.

WITNESS, T.W. Richerson,

as Clerk of said Court, at office, in

Bay Minette,

Alabama, this

26th

day of

January,

1926.

T.W. Richerson

Clerk.

3

Original

No. ....

CIRCUIT COURT, IN EQUITY.

Marguerite Shonts Bingham

and Theodore Chaulnes,

vs.

Agostino Guarisco.

Received in office on this the .....

day of ..... 19 .....

Sheriff.

Executed by serving a copy of the

within Writ of Injunction upon .....

*Agostino Guarisco*

on this the 27<sup>th</sup> day of

*January* 1926

*W.R. Stewart*  
Sheriff.

*By W.D. Ferrell*  
*D.S.*

RECORDED

STATE OF ALABAMA,

COUNTY OF BALDWIN

KNOW ALL MEN BY THESE PRESENTS, That we, Marguerite Shonts Bingham and Theodora de Chaulnes, as principal and The Fidelity and Casualty Co. as surety, are held and firmly bound unto the Register of the Circuit Court in Equity for said county in the sum of Two Thousand (\$2000.00) Dollars, for the payment of which the said Register, and his successors, or Agostino Guarisco, we bind ourselves, our executors and administrators, jointly and severally.

Sealed with our seals and dated the 25<sup>th</sup> day of January, 1926.

WHEREAS, the said Marguerite Shonts Bingham and Theodora de Chaulnes have filed their bill of complaint in the said Circuit Court in Equity and have obtained thereon an order for the issuance of an injunction from the Honorable John D. Leigh, Judge, to restrain and enjoin one Agostino Guarisco from further trespassing upon or cutting timber off of that certain real property in Baldwin County, Alabama, known as the Shonts Estate, and more particularly described as follows:

Approximately one hundred and six (106) acres of land, located on the East side of Mobile Bay of approximately 1510 feet and extending Eastwardly to the Public Road, being located in Fractional Sections 17 and 18 in Township 5 South, Range 2 East, and known as the Shonts Estate, a particular description of which is found in that certain deed from Milla D. Shonts and Theodore P. Shonts to Marguerite Amelia Shonts and Theodora de Chaulnes, which deed is found recorded in Record Book No. 19 N. S., pages 545-6 of the Baldwin County Records.

Now, therefore, the condition of the above obligation is such that if the said Marguerite Shonts Bingham and Theodora de Chaulnes, their heirs, executors, administrators, or any of them, shall pay or cause to be paid all damages which any person may sustain by the suing out of said injunction, if the same is dissolved by the Circuit Court in Equity on the bill filed by the said Marguerite Shonts

Bingham and Theodora de Chaulnes aforesaid, then the above obligation to be void, otherwise to remain in full force and effect.

Witness our hands and seals on the day and year first above written.

MARGUERITE SHONTS BINGHAM (SEAL)

By Rutherford Bingham  
Her Attorney-in-fact

THEODORA DE CHAULNES (SEAL)

By Rutherford Bingham  
Her Attorney-in-Fact.

THE FIDELITY AND CASUALTY CO. OF NEW YORK

By A. J. Jones  
Attorney

Taken and approved, this 26 day of January, 1926.

T. W. Peterson  
REGISTER.

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALA.

Comes Marguerite Shonts Bingham and Theodora de Chaulnes,  
and files this their bill of complaint against Agostino Guarisco, alle-  
ing as follows:

That they are the owners of certain real property,  
located in Baldwin County, State of Alabama, to-wit:

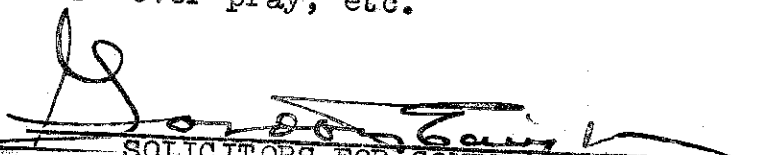
Approximately one hundred and six (106) acres of  
land, located on the East side of Mobile Bay of approximately 1510  
feet and extending Eastwardly to the Public Road, being located in  
Fractional Sections 17 and 18 in Township 5 South, Range 2 East,  
and known as the Shonts Estate, a particular description of which is  
found in that certain deed from Milla D. Shonts and Theodore P. Shonts  
to Marguerite Amelia Shonts and Theodora de Chaulnes, which deed is  
found recorded in Record Book No. 19 N. S., pages 545-6 of the Baldwin  
County Records.

They further show unto your Honor that the defendant  
is trespassing upon the said property, cutting and removing pine trees  
therefrom and doing very material damage thereto. That the complain-  
ants are the owners of the said property and are in the possession of  
the same and that the defendant has been and is going upon the said  
lands and cutting the pine timber therefrom, thereby greatly damaging  
the said property, causing complainants to suffer an irreparable loss.

Wherefore, complainants pray that your Honor will take  
jurisdiction of this bill of complaint and cause proper subpoena to be  
had upon the defendant, requiring him to plead, answer or demur to this  
bill of complaint within the time provided by law.

Complainants further pray that your Honor will grant  
unto them an injunction against the defendant, enjoining him from  
further trespassing upon the said described property and cutting any  
timber therefrom or otherwise damaging the same, upon their entering  
into proper bond.

Complainants pray for such other and further relief  
as may seem just, and will so ever pray, etc.

  
SOLICITORS FOR COMPLAINANTS.



FOOT NOTE:

The defendant is required to answer each and every allegation of the foregoing bill of complaint, but not under oath, his oath thereto being hereby expressly waived.

  
SOLICITORS FOR COMPLAINANTS.

STATE OF ALABAMA,  
COUNTY OF MOBILE.

Personally appeared before me, Jamie McDavid, a Notary Public, in and for said State and County, Rutherford Bingham, who being by me first duly sworn, deposes and says that he is the duly authorized agent of the complainants in the above entitled cause and that the facts alleged therein are true.

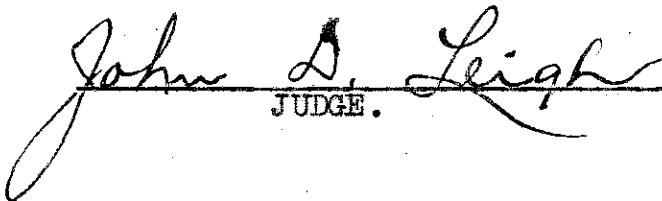
  
Rutherford Bingham

Subscribed and sworn to before me this the 25th day of January, 1926.

  
NOTARY PUBLIC, MOBILE COUNTY, ALA.

TO THE REGISTER OF CIRCUIT COURT IN EQUITY AT BAY MINETTE, BALDWIN COUNTY, ALABAMA.

Upon the complainants entering into bond, with security, in the sum of Two Thousand (\$2000.00) Dollars, payable to you and Agostino Guarisco, and approved by you, and conditioned according to law, let an injuntion issue according to the prayer of the bill.

  
JUDGE.