

822

TO THE HONORABLE F. W. HARE, JUDGE
OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA,
SITTING IN EQUITY.

Now comes the complainant, Bay Minette Land Company, a corporation, organized under the laws of the State of Alabama, and brings this, its bill of complaint, against Peoples Fertilizer Company, a corporation, organized under the laws of the State of Alabama, and doing business in Bay Minette, Alabama, and shows unto Your Honor, as follows:-

FIRST.

That the complainant is the owner of, and in peaceable possession of the following described real estate, situate, lying and being in the State of Alabama, County of Baldwin, and more particularly described as follows, viz.:-

All that piece or parcel of land, lying in the Southeast quarter of the Northeast quarter of Section Sixteen (16) in Township Two (2) South, Range Three (3) East, described as follows:-

Commence at a point 301.5 feet West of the Southeast corner of the Northeast quarter of the Northwest quarter of said Section Sixteen (16), thence South nine (9) degrees fifteen (15) minutes West, parallel to the main track of the Fort Morgan Branch of the Louisville & Nashville Railroad, one hundred sixty-seven (167) feet to a point, which is the Northeast corner of lot number Six (6), as shown on that certain map of the Fort Morgan Addition to Bay Minette, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book No. 1, page 120, but which said map has been vacated. From this point of beginning, runs South eighty (80) degrees, forty-five (45) minutes East thirty (30) feet to the right-of-way of the said Railroad thence South nine (9) degrees fifteen (15) minutes West, and parallel to and along the said right-of-way seven hundred twenty-three (723) feet to the Northeast corner of a lot of land owned by W. O. Norton; thence North eighty (80) degrees forty-five (45) minutes, West one hundred twenty-five and two-tenths (125.2) feet to a point, thence South nine (9) degrees, fifteen (15) minutes West ten (10) feet to the Brady Road, thence Westwardly along the North line of Brady

Road, North sixty-two (62) degrees forty-five (45) minutes West, thirty-three and seven-tenths (33.7) feet, thence North nine (9) degrees, fifteen (15) minutes East thirty (30) feet to a point, thence South eighty (80) degrees forty-five (45) minutes East thirty (30) feet to a point, thence North nine (9) degrees fifteen (15) minutes East Six hundred ninety-three (693) feet to the point, or place, of beginning.

SECOND.

Complainant further shows unto Your Honor that the defendant claims some right, title or interest in, or encumbrance upon, said real estate, and that no suit is pending to enforce or test the validity of such title, claim or encumbrance, and the complainant calls upon the defendant to set forth and specify its title, claim or interest in, or encumbrance upon said property, and how, and by what instrument the same is derived and claimed.

PRAYER FOR PROCESS

To the end, therefore, that equity may be done in the premises, complainant prays that the said Peoples Fertilizer Company, may be made a party respondent to this, complainant's bill of complaint, and that due process of subpoena be issued to and served upon it, in accordance with the course and practice of this Honorable Court.

PRAYER FOR RELIEF.

Complainant prays that, upon a hearing of this cause, this Honorable Court will ascertain and decree that the defendant has no right, title or interest in, or encumbrance upon said property, and that the complainant is the owner of said property, and that the defendant may be enjoined from further asserting or making any claim to any right, title or interest in, or encumbrance upon said property, and that the complainant may have such other and further relief as it may be entitled to receive, the premises considered, as in duty bound it will ever pray.

Harry Smith Galle
SOLICITORS FOR COMPLAINANT.

FOOT NOTE:

The defendant is required to answer each and every allegation of the above and foregoing bill of complaint, from paragraph FIRST to paragraph SECOND, both inclusive, but not under oath, oath as to such answers being hereby expressly waived.

Thos. Hunt & Co., Thos. W. Hunt
SOLICITORS FOR COMPLAINANT.

The State of Alabama, } Circuit Court of Baldwin County, In Equity,
Baldwin County.

To any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon

Peoples Fertilizer Company a corporation

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 Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Bay Minette Land Company, a corporation,

against said Peoples Fertilizer Company, a corporation,

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 15th day of

June 1929

T. W. Richerson 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

~~Peoples Fertilizer Co~~

Bay Minette Land Co.

vs.

Peoples Fertilizer Co

Harry T. Smith & Caffey.

Solicitor for Complainant

THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this 15th
day of June 192 9

Sheriff.

Executed this 17th day day of
June 192 9

by leaving a copy of the within Summons with

A. M. Stuart

Defendant.

C. Sevier

Sheriff.

By *Bowditch*

Deputy Sheriff.

Recorded in Vol. _____

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