

(956)

**The State of Alabama,** { **CIRCUIT COURT OF BALDWIN COUNTY,**  
**Baldwin County** { **IN EQUITY**

**To Any Sheriff of the State of Alabama--GREETING:**

WE COMMAND YOU, That you summon W.C.Mason, E.J.Roberts, William McIntosh, J.I.Pitman, F.B.Moore, G.W.Morrow, and E.B.Gaston as administrator of the estate of Henry Crawford, deceased

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 Myrtle A.Clark

against said W.C.Mason, E.J.Roberts, William McIntosh, J.I.Pitman, F.B.Moore, C.W.Morrow, and E.B.Gaston, as administrator of the estate of Henry Crawford, deceased

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 3rd day of

March 1931

T. W. Richerson Register.

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

Serve on \_\_\_\_\_  
Circuit Court of Baldwin County  
In Equity.

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

**SUMMONS**

Myrtle A. Clarke

vs.

W.C. Mason, E.J. Roberts,  
William McIntosh, J.I. Pitman  
F.B. Moore, C.W. Morrow and  
E.B. Gaston as administrator  
of the estate of Harry  
Crawford, deceased

Lloyd A. Maaney  
Solicitor for Complainant.

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

**The State of Alabama,  
BALDWIN COUNTY.**

Received in office this \_\_\_\_\_

day of \_\_\_\_\_ 193 \_\_\_\_\_

Sheriff.

Executed this 8rd day of

March 193 1

by leaving a copy of the within Summons with  
W.C. Mason, E.J. Roberts,  
William McIntosh, J.I. Pitman  
F.B. Moore, E.B. Gaston,

Defendant.

*W.C. Mason*

Sheriff.

By *A.O. Garrett*

Deputy Sheriff.

C.W. Morrow, is out of  
State.

*W.C. Mason*  
by *W.C. Mason*

*My App. 8.5.*

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 W. C. Mason, E. J. Roberts, William McIntosh, J. I. Pitman, F. B. Moore,  
C. W. Morrow and E. B. Gaston, as administrator of the estate of Henry  
Crawford, deceased,

WHEREAS, Myrtle A. Clarke

has S. this day filed a Bill of Complaint in said Court against you and each of you

praying, among other things, that you and each of you be enjoined from selling, disposing of, removing or in any way interfering with or damaging any of the trees or shrubs now planted and growing in the parkways on the streets, avenues and boulevards in the Town of Fairhope and within the subdivision known as Ingleside Highlands;

And whereas, on said Bill of Complaint being exhibited to the Hon. F. W. Hare  
Judge of the Circuit Court of Baldwin County, of the State of Alabama, on the  
2nd day of March 1931, he did order that, upon complainant entering into bond, with sureties, in the sum of FIVE HUNDRED & 00/100 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 selling, disposing of, removing or in any way interfering with or damaging any of the trees or shrubs now planted and growing on the parkways on the streets, avenues and boulevards in the Town of Fairhope and within the subdivision known as Ingleside Highlands, as follows, to-wit: Prospect Street; Ingleside Avenue; Greeno Avenue; Fairhope Avenue; Michigan Avenue; Morphy Avenue; Pleasnat Avenue; Coleman ~~XXXXXXXXXX~~ Boulevard and Grand Boulevard,

until further order of this Court. And this you will in no wise omit, under penalty.

WITNESS T. W. RICHESON as Clerk of said Court, at office, in

Bay Minette Alabama, this 2nd day of March 1931.

T. W. Richeson Clerk

*Original*

No. ....

CIRCUIT COURT, IN EQUITY.

Myrtle A. Clarke

VS.

W.C. Mason, F. J. Robert, S. Bitman,  
William McIntosh, J. I. Bitman,  
F. B. Moore, C. W. Morrow, and  
F. B. Gaston as Administrator  
of the Estate of Henry Crawford,  
Deed.

Received in office on this the

day of ..... 192

Sheriff.

Executed by serving a copy of the  
within Writ of Injunction upon

W.C. Mason

E. J. Roberts

William McIntosh

J. I. Bitman

F. B. Moore

F. B. Gaston

on this the 3 day of

March 1921

W. B. Hunt

Sheriff.

Myrtle A. Clarke

7 NO. 1000

W.C. Mason is out  
of the state  
W. B. Hunt  
as sheriff  
Myrtle A. Clarke

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 ~~E. C. Mason, R. J. Roberts, William McIntosh, J. L. Pittman, J. B. Moore~~  
~~C. V. Morris and R. B. Norton, as administrators of the estate of Henry~~  
~~Cumford, deceased.~~

~~Myself A. Clarke~~

WHEREAS,

ha ~~you and each of you~~ this day filed a Bill of Complaint in said Court against

~~you and each of you to restrain from selling,~~  
praying, among other things, that  
~~disposing of, removing or in any way interfering with or damage any of~~  
the trees or shrubs now planted and growing in the parkways on the streets,  
avenues and boulevards in the town of Fairhope and within the subdivision  
known as Ingleside Highlands;

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

Judge of the Circuit Court of ~~Baldwin~~ County, of the State of Alabama, on the  
~~2nd~~ day of ~~March~~ 192 ~~01~~,

he did order that, upon complainant entering  
into bond, with sureties, in the sum of \_\_\_\_\_ 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.

~~selling, disposing of,~~  
These, therefore, are to command and strictly enjoin you from ~~disposing of, removing or in any way interfering with or damage any of~~ the trees or  
shrubs now planted and growing in the parkways on the streets, avenues  
and boulevards in the town of Fairhope and within the subdivision  
known as Ingleside Highlands, as follows, to-wit: Prospect Street;  
Ingleside Avenue; Greene Avenue; Fairhope Avenue; Michigan Avenue; Murphy  
Avenue; Pleasant Avenue; Columbia Boulevard and Grand Boulevard,

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

WITNESS

~~Bay Minette~~

as Clerk of said Court, at office, in

Alabama, this \_\_\_\_\_ day of \_\_\_\_\_ 192

*T. M. Reagin*  
Clerk

*County*

No. *12345*

CIRCUIT COURT, IN EQUITY.

*Writ of Injunction*

VS.

Received in office on this the \_\_\_\_\_

day of \_\_\_\_\_ 192\_\_

Sheriff.

Executed by serving a copy of the

within Writ of Injunction upon \_\_\_\_\_

on this the \_\_\_\_\_ day of \_\_\_\_\_

192\_\_

Sheriff.

MOORE PICO

MYRTEL A. CLARKE,

PALINTIFF.

VS

W. C. MASON, E. J. ROBERTS,  
WILLIAM MCINTOSH, J. I. PITMAN,  
F. B. MOORE, C. W. MORROW, and  
E. B. GASTON, as administrator of  
the Estate of Henry Crawford,  
Deceased.

DEFENDANTS.

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

BOND.

KNOW ALL MEN BY THESE PRESENTS, that we, Myrtle A. Clarke, as principal and M. B. Skinner, as surety do hereby acknowledge ourselves indebted to W. C. Mason, E. J. Roberts, William McIntosh, J. I. Pitman, F. B. Moore, C. W. Morrow, and E. B. Gaston, as administrator of the Estate of Henry Crawford, Deceased, in the penal sum of FIVE HUNDRED & 00/100 (\$500.00) DOLLARS to the payment of which, well and truly to be made, we do bind ourselves.

Now the condition of this obligation is that whereas there has this day been issued in the above entitled cause Temporary Restraining Order restraining the said defendants until the further order of this Court from selling, disposing of, removing or in any way interfering with or damaging any of the trees or shrubs now planted and growing in the parkways on the streets, avenues and boulevards in the Town of Fairhope and within the subdivision known as Ingleside Highlands, to-wit: Prospect Street; Ingleside Avenue; Greeno Avenue; Fairhope Avenue; Michigan Avenue; Morphy Avenue; Pleasant Avenue; Coleman Boulevard, and Grand Boulevard; now if the said Myrtel A. Clarke shall prosecute this action to decree without delay and pay to the said above named defendants any and all damage which they or either of them may sustain in the event that it shall be finally determined that said Temporary Restraining Order is wrongfully issued, then this obligation shall be null and void but otherwise to remain in full force and effect.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 2nd day of March, 1931.

Myrtle A. Clarke (SEAL)

M. B. Skinner (SEAL)

The above bond taken and the surety thereon approved by me this 2nd day of March, 1931.

W. B. Pearson  
Register in Chancery.

**The State of Alabama,**  
**Baldwin County.**

No. .... CIRCUIT COURT, IN EQUITY

Myrtle A. Clarke

Complainant

vs.

W.C. Mason, E.J. Roberts, William McIntosh, J.I. Pitman ..... Defendant  
 E.B. Moore, C.W. Morrow and E.B. Gaston as administrator of the estate of

Henry Crawford. In this cause it appears to the ..... Register  
 ford.

that a Summons requiring the Defendant s, W.C. Mason, E.J. Roberts, William Mc-  
 Intosh, J.I. Pitman, E.B. Moore, ~~xxxx~~ and E.B. Gaston, as adminis-  
 trator of the estate of Henry Crawford, deceased.....

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 ..... said defendants.....

was served upon them by the Sheriff of Baldwin County, Alabama, on the  
 3rd day of March 1931.

And the said Defendant S. having failed to demur, plead to or answer the said Bill of Complaint  
 to this date, it is now, therefore, on motion of Complainant.....

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 ~~Defendants~~ W.C. Mason, E.J. Roberts, William  
 McIntosh, J.I. Pitman, E.B. Moore, and E.B. Gaston as administrator.  
 of the estate of Henry Crawford, deceased.....

Defendant S. aforesaid.

This 11th day of May 1931

Register.

No. ....

Page .....

**The State of Alabama,**  
**Baldwin County**

**Circuit Court In Equity**

Myrtle A. Clarke

vs.

W.C. Mason, E.J. Roberts  
William McIntosh, J.I. Pitt-  
man, E.B. Moore and E.B. Gas-  
ton, as administrators of the  
Estate of Henry Crawford,

**Decree Pro Confesso On**  
**Personal Service.**

Issued.....May 11th.....1931

W.C. Mason  
Register

MYRTLE A. CLARKE

PLAINTIFF

VS

W. C. MASON, E. J. ROBERTS,  
WILLIAM MCINTOSH, J. I. PITMAN,  
F. B. MOORE, C. W. MORROW, and  
E. B. GASTON, as administrator  
of the Estate of Henry Crawford,  
Deceased.

DEFENDANTS.

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

DECREE.

This cause coming on to be heard on the Bill of Complaint and Decree pro confesso against the Defendants W. C. Mason, E. J. Roberts, William McIntosh, J. I. Pitman, F. B. Moore, and E. B. Gaston, as administrator of the Estate of Henry Crawford, deceased, and it appearing to the court from the proof on file that the service upon said Defendants is in all respects due and regular and in conformity with the laws of the State of Alabama and that the court has jurisdiction of the subject matter and of the persons of said Defendants;

And the allegations of the Bill of Complaint being confessed by the Defendants the court finds the allegations of the Bill to be true and that the Plaintiff is entitled to relief as prayed.

It is therefore ordered, adjudged, and decreed by the court that the Defendants W. C. Mason, E. J. Roberts, William McIntosh, J. I. Pitman, F. B. Moore and E. B. Gaston, as administrator of the Estate of Henry Crawford, deceased, and each of them, be and they hereby are perpetually enjoined from selling, disposing of, removing or in any way interfering with or damaging any of the trees or shrubs now planted and growing in the parkways, on the streets, avenues, and boulevards in the Town of Fairhope, to-wit: Prospect Street; Ingleside Avenue; Greeno Avenue; Fairhope Avenue; Michigan Avenue; Morphy Avenue; Pleasant Avenue; Coleman Boulevard; and Grand Boulevard and that the Defendants paid the cost of this action taxed at FORTY FOUR & 75/100 (\$44.75) DOLLARS.

Dated this 16<sup>th</sup> day of May, 1931.

F. W. Hare  
Judge.

MYRTLE A. CLARK,

PLAINTIFF.

VS

W. C. MASON, E. J. ROBERTS,  
WILLIAM McINTOSH, J. I. PITMAN,  
F. B. MOORE, C. W. MORROW, and  
E. B. GASTON, as administrator  
of the Estate of Henry Crawford,  
Deceased.

DEFENDANTS.

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

BILL.

TO THE HONORABLE F. W. HARE, CHANCELLOR:

PART ONE.

Your oratrix, Myrtle A. Clark, a resident of the County of Baldwin in this State and over twenty-one (21) years of age, respectfully exhibits this, her Bill of Complaint, against W. C. Mason, E. J. Roberts, William McIntosh, J. I. Pitman, F. B. Moore, C. W. Morrow, and E. B. Gaston, as administrator of the Estate of Henry Crawford, deceased, all of whom are residents of the State of Alabama residing at Fairhope in Baldwin County in said State and all of whom are also over the age of twenty-one (21) years.

PART TWO.

Your oratrix represents unto Your Honor as follows:

1. That during the year 1926 the above named defendants became the legal owners of forty (40) acres of land situated within the corporate limits of the Town of Fairhope, Alabama and described as the

Northeast Quarter (NE $\frac{1}{4}$ ) of the  
Southeast Quarter (SE $\frac{1}{4}$ ) of Sec-  
tion Seventeen (17) Township Six  
(6) South Range Two (2) East.

2. That thereafter the said defendants caused said land to be platted as a subdivision named and known as Ingleside Highlands and divided said land into twelve (12) blocks numbered from one (1) to twelve (12) and into one hundred ninety one (191) residence lots and into streets, avenues, and boulevards.

3. That plat of said addition was prepared at the order of the defendants and by them on, to-wit: March 26, 1926, recorded in Map Book #1 at Page 72 thereof in the records of the office of the Judge of Probate of Baldwin County, Alabama and since that time large numbers of the residence lots have been sold to your oratrix and to others and by reason thereof your oratrix alleges that the streets, avenues, and boulevards shown on said plat have been and are dedicated to the public as public streets and ways. A copy of said plat is attached hereto marked "Exhibit A" and by reference made a part hereof.

4. That the said Ingleside Highlands was and is a high class and beautiful residence subdivision and is made so by the fact that on both sides of the various streets, avenues, and boulevards in said subdivision and adjoining the sidewalks and between the sidewalks and the travelled way of said streets, avenues, and boulevards are

located parkways in which are planted many kinds of trees and shrubs and among them numberes of azalea bushes; that your oratrix and all other purchasers who have purchased residence lots in said subdivision were told and informed and made their purchase relying on the representations made by the defendants, their agents and employees, that such trees, bushes, and shrubs would be kept and maintained in said parkways for the beautification of said subdivision as a whole. For many years these plants have grown and developed until said Ingleside Highlands has become a beauty spot and particularly during the time the azalea bushes are in bloom, people travel for many miles to see the same and the value of the property of your oratrix and all others owning lots in said subdivision has greatly enhanced by reason thereof.

5. Your oratrix is the owner by purchase from the defendants of Lot One (1) and the West Fifteen (15) feet of Lot Two (2) in Block Seven (7) in said Ingleside Highlands on which she has erected a modern home at an expense of about TEN THOUSAND & 00/100 (\$10,000.00) DOLLARS and she alleges that she bought this property and erected her home thereon relying upon the representations of the defendants that the various plantings of trees and shrubs in the parkways on the streets, avenues, and boulevards of said subdivision would be preserved intact and permitted to grow and develop and your oratrix alleges that because of the dedication of said streets, avenues, and boulevards hereinbefore mentioned and because of the representations made to her and on which she has relied as hereinbefore mentioned she has an interest in the plantings on said parkways as do all of the other persons who have bought lots from the defendants and erected dwellings thereon.

6. Your oratrix further alleges that the defendants are now about to sell and cause the removal of a large number of the azalea bushes growing on said parkways which bushes have become very valuable and your oratrix alleges that because of the dedication heretofore made by them and because of the promises and representations heretofore made by them the said defendants have not the right to sell said bushes and remove the same and that if they be permitted to do so the property of your oratrix and the property of all other persons who have purchased lots in said division will be seriously depreciated and she will be irreparably injured and damaged.

#### PART THREE.

Wherefore your oratrix prays that the defendants and each of them be perpetually enjoined from selling, disposing of, removing, or in any way interfering with or damaging any of the trees or shrubs now planted and growing in the parkways on the streets, avenues, and boulevards in the Town of Fairhope, to-wit: Prospect Street; Ingleside Avenue; Greeno Avenue; Fairhope Avenue, Michigan Avenue, Morphy Avenue; Pleasant Avenue; Coleman Boulevard; and Grand Boulevard. And if your oratrix has not asked for the proper relief she further prays that she may have such further and other relief in the premises as the nature of her case shall require and as to ~~this~~ Your Honor may seem meet.

#### PART FOUR.

Your oratrix further prays that Your Honor will grant to her the Writ of Summons of the State of Alabama to be directed to the said W. C. Mason, E. J. Roberts, William McIntosh, J. I. Pitman, F. B. Moore, C. W. Morrow, and E. B. Gaston, as administrator of the Estate of Henry Crawford, Deceased, thereby commanding them and everyone of them personally, to appear before Your Honor in this Honorable Court within thirty (30) days from the service thereof and then and there to answer to this Bill of Complaint and to abide such order and decree therein as to this Honorable Court shall seem meet; and your oratrix shall ever pray, &c.

And may it further please Your Honor to grant unto your oratrix

the Writ of Injunction of the State of Alabama to be directed to the said defendants, W. C. Mason, E. J. Roberts, William McIntosh, J. I. Pitman, F. B. Moore, C. W. Moorow, and E. B. Gason, as administrator for the Estate of Henry Crawford, Deceased, restraining them and each of them from selling, disposing of, removing, or in any way interfering with or damaging any of the trees or shrubs now planted and growing in the parkways on the streets, avenues, and boulevards in the Town of Fairhope, to-wit: Prospect Street, Ingleside Avenue; Greeno Avenue; Fairhope Avenue, Michigan Avenue, Morphy Avenue; Pleasant Avenue; Coleman Boulevard; and Grand Boulevard, until the further order of this Honorable Court; and your oratrix shall ever pray &c.

Solicitor for Plaintiff.

Foot Note.

The defendants, W. C. Mason, E. J. Roberts, William McIntosh, J. I. Pitman, F. B. Moore, C. W. Morrow, and E. B. Gaston, as administrator of the Estate of Henry Crawford, Deceased are required to answer the allegations of Part Two of the above Bill from Section One to Section Six inclusive, but not under oath, oath to answer being expressly waived.

Solicitor for Plaintiff.

STATE OF ALABAMA )  
BALDWIN COUNTY. )

Before me, Lloyd A. Magney, a notary public in and for said County and State, on the 2nd day of March, 1931 personally appeared Myrtle A. Clarke, known to me, whose name is signed to the above Bill of Complaint, and being sworn by me she stated that she has heard read the above Bill of Complaint subscribed by her and knows the contents thereof and that the same are true of her own knowledge.

Subscribed and sworn to before me this 2nd day of March 1931.

Notary Public.

Upon Complainant entering into bond in the sum of \$500.00, conditioned as required by law and with sufficient sureties to be approved by the Register, let the temporary injunction issue as prayed for in the bill of complaint - This March 2, 1931

J. W. Hare  
Judge

# INGLESIDE HIGHLANDS.

BEING A SUBDIVISION OF THE N.E. 1/4 of S.E. 1/4 - SEC. 17 - TWP. 6-S-R-2-E.

FAIRHOPE - BALDWIN CO - ALABAMA.

Mar-20-1926.

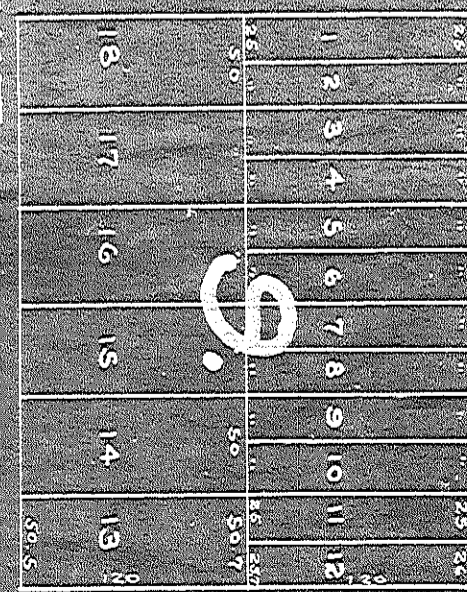
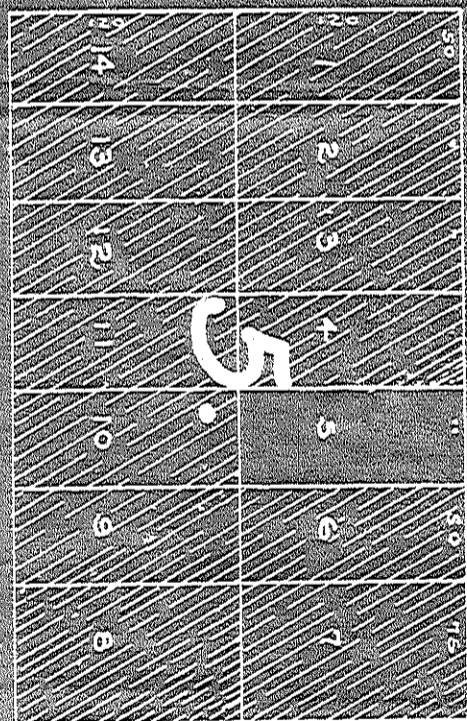
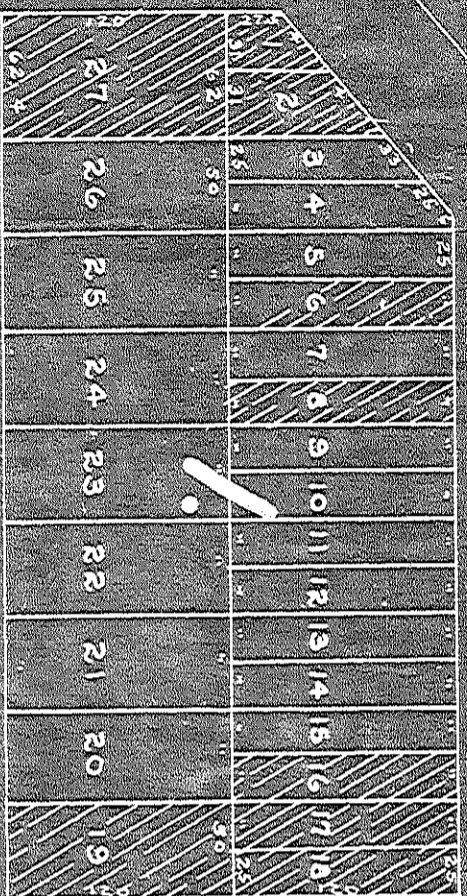
Scale-1"=100'

FAIRHOPE

AVENUE.

NE Corner

SE Corner



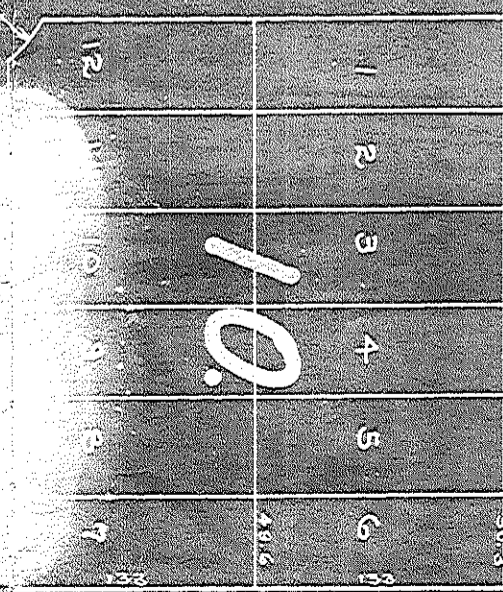
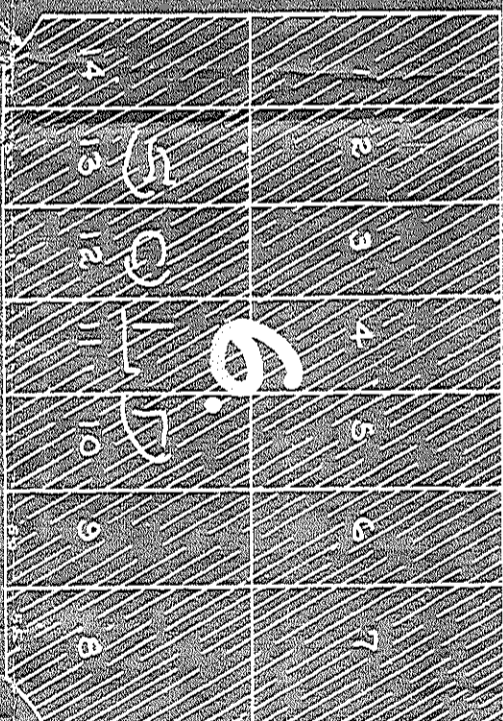
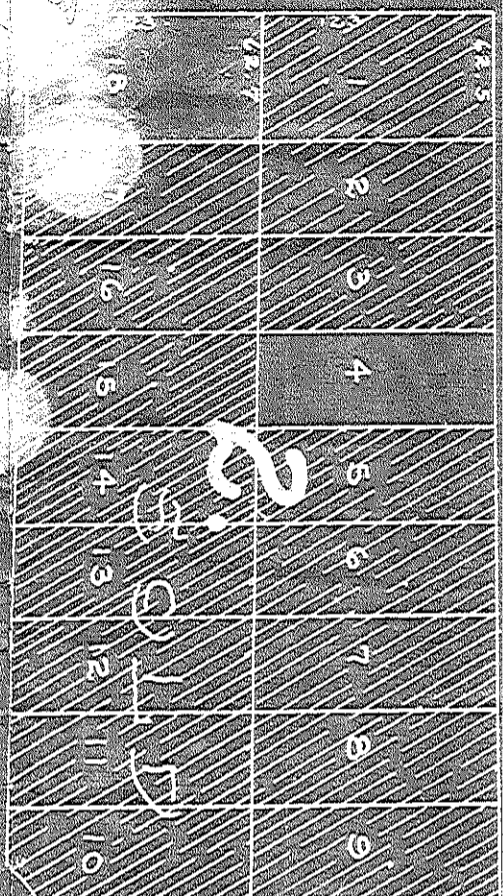
PROSPECT

STREET.

INGLESIDE AVENUE.

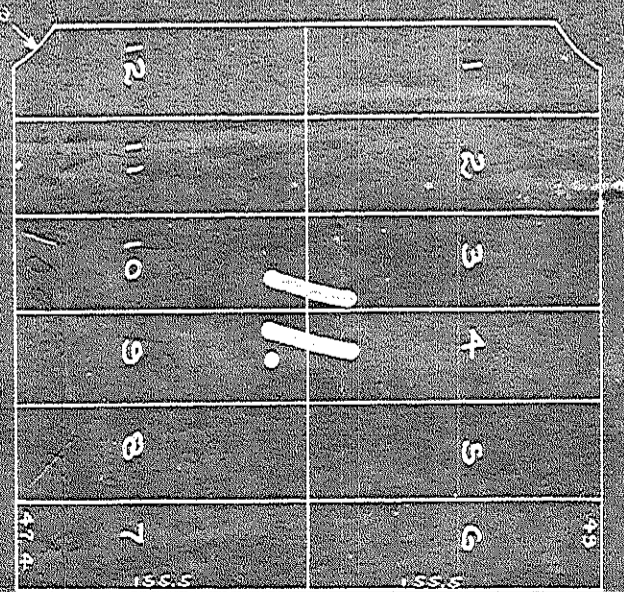
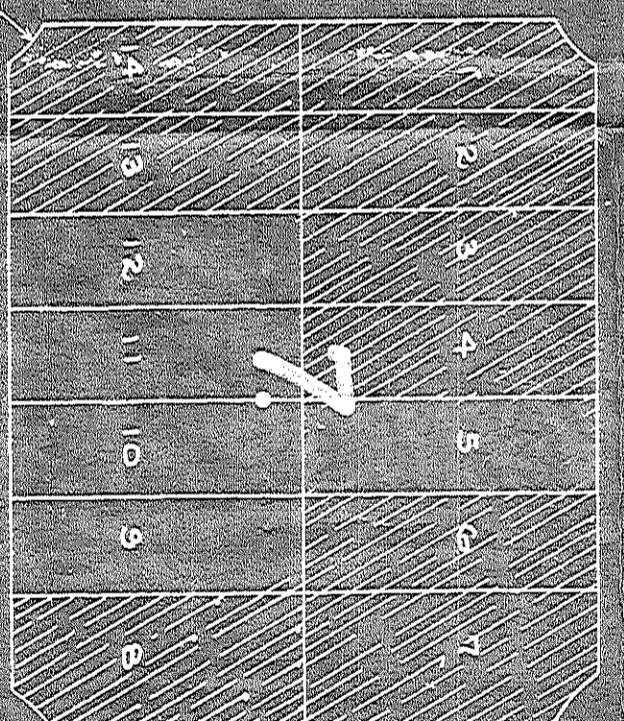
BOULEVARD.

AVENUE.



COLEMAN

BOULEVARD.



MICHIGAN

AVENUE

GREENO

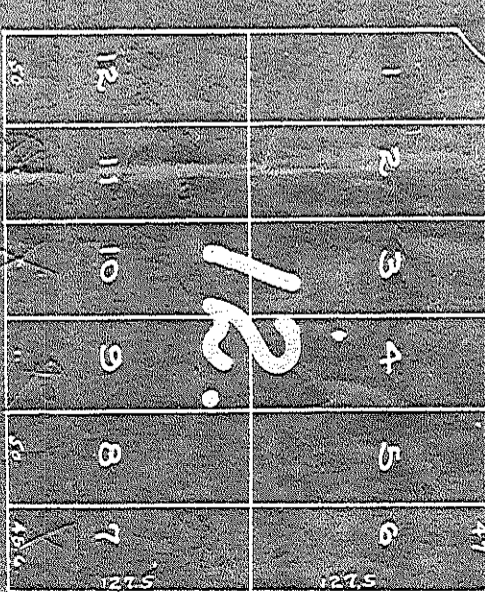
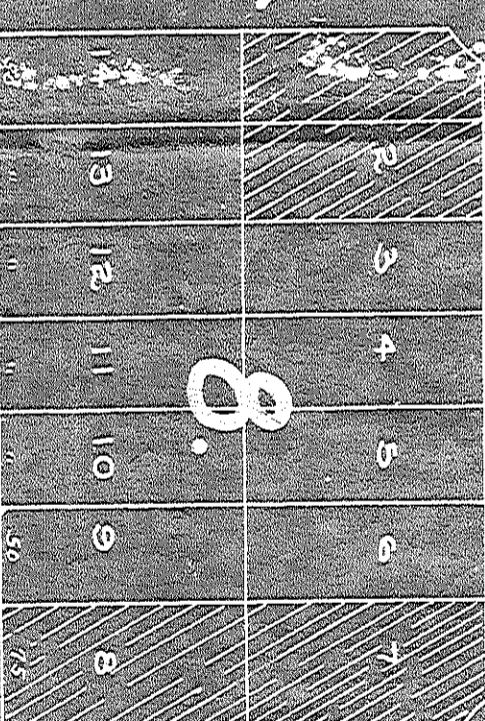
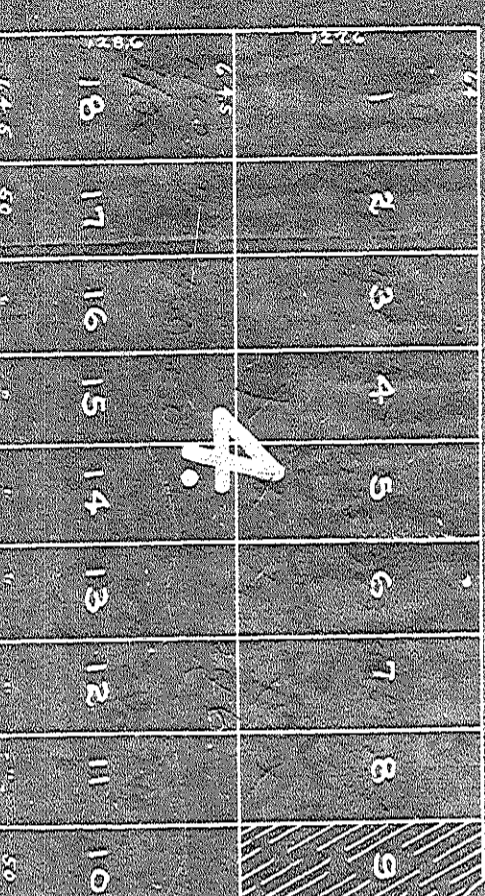
INGLESIDE

GRAND

PLEASANT

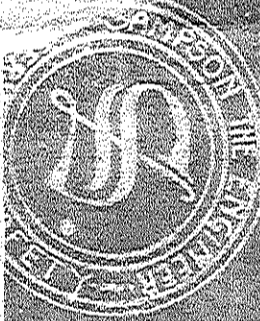
MORPHY

AVENUE.



Traced from original by  
D.T. SAMPSON - Civil Engr  
FAIRHOPE - ALA.

TENNESSEE - ALABAMA  
AUCTION CO.  
EXCLUSIVE AGENTS.



# INGLESIDE HIGHLANDS.

BEING A SUBDIVISION OF THE N.E. 1/4 of S.E. 1/4 - SEC. 17 - TWP. 6-S-R-2-E.

FAIRHOPE - BALDWIN CO - ALABAMA.

Mar. 20-1926.

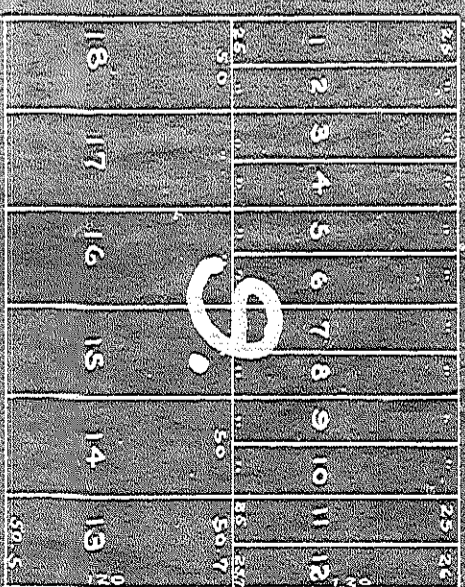
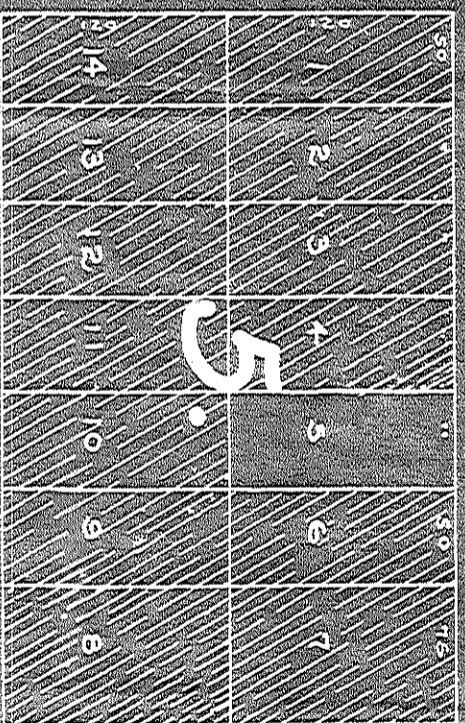
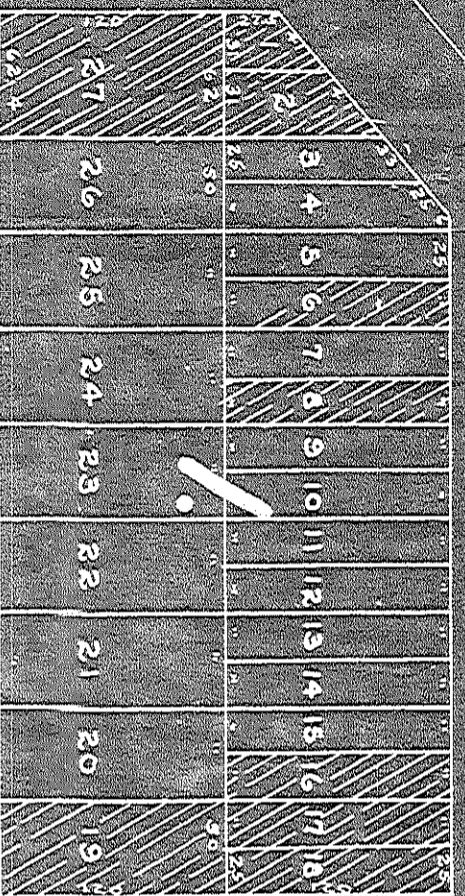
Scale - 1"=100'

FAIRHOPE

AVENUE.

NE Corner

SW Corner



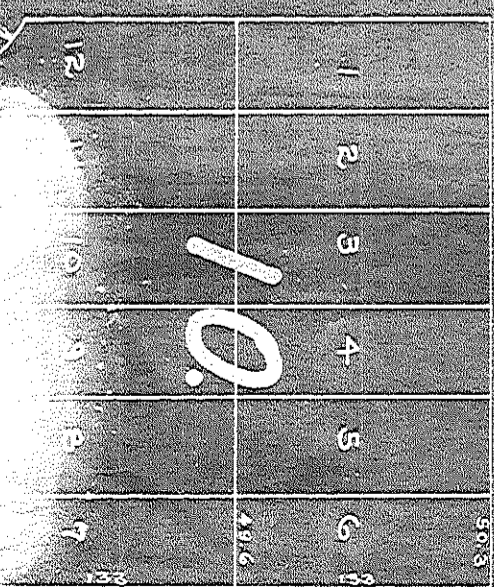
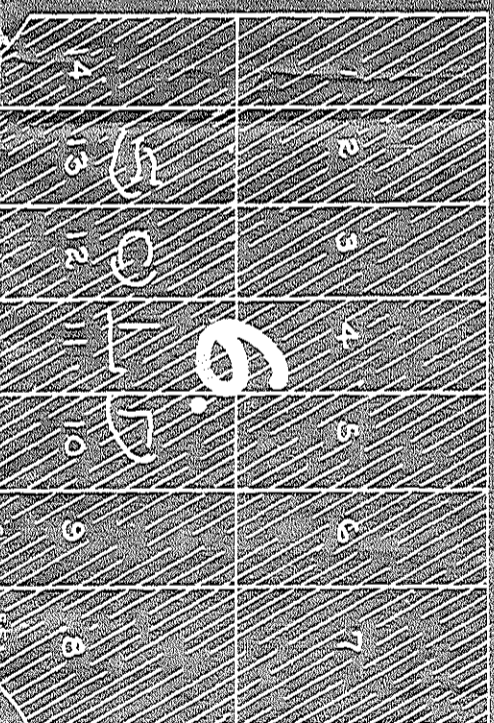
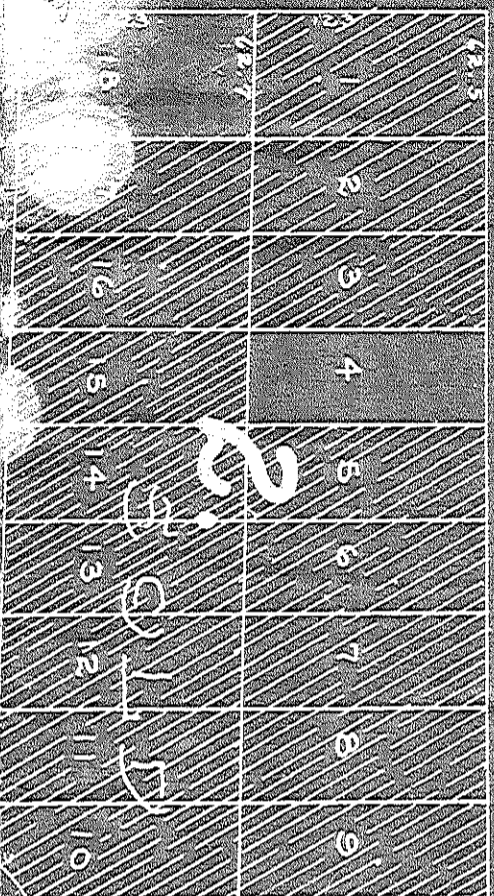
PROSPECT

STREET.

INGLESIDE AVENUE.

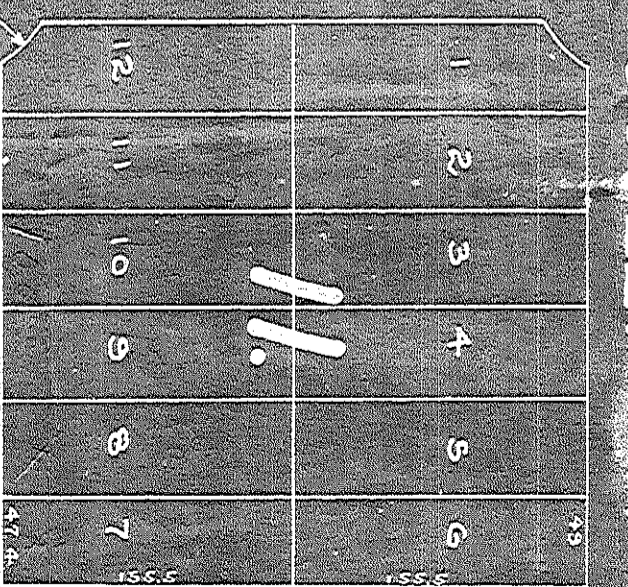
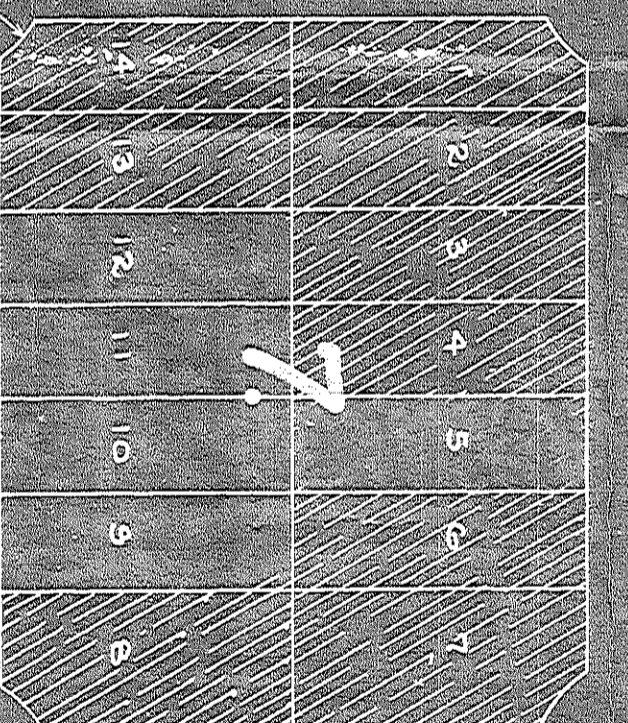
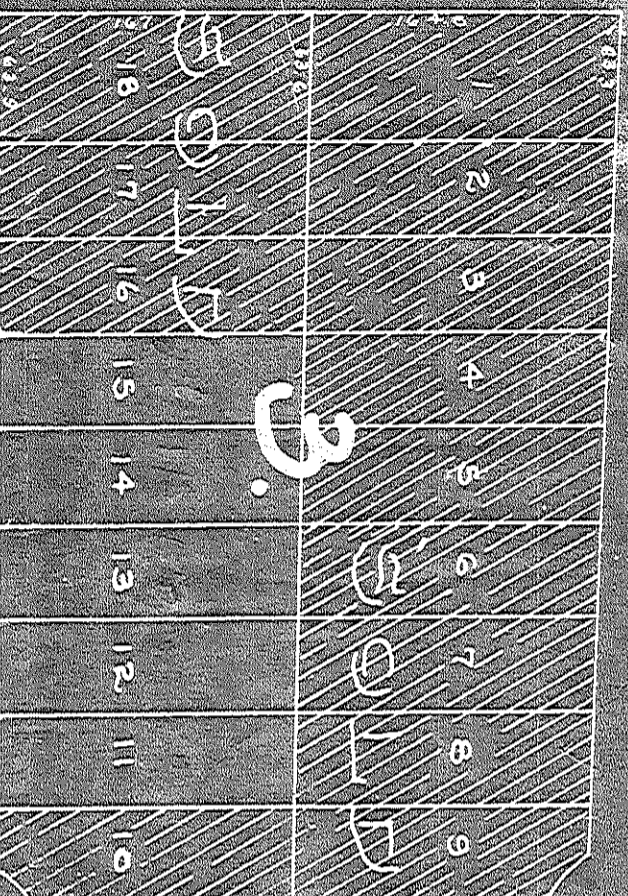
BOULEVARD.

AVENUE.



COLEMAN

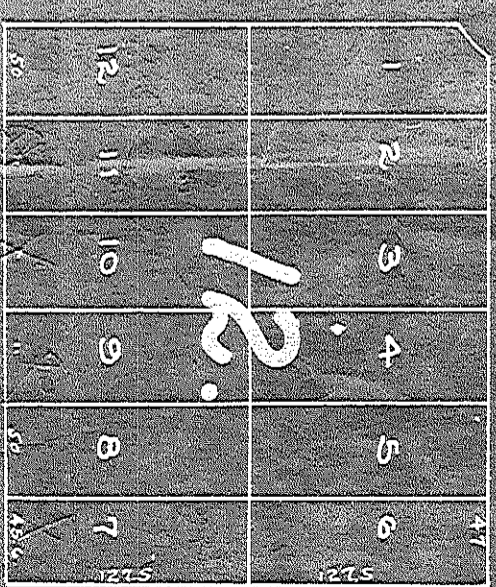
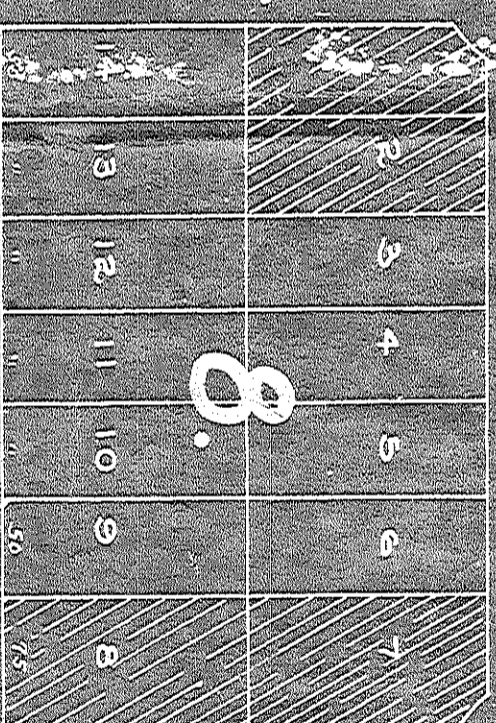
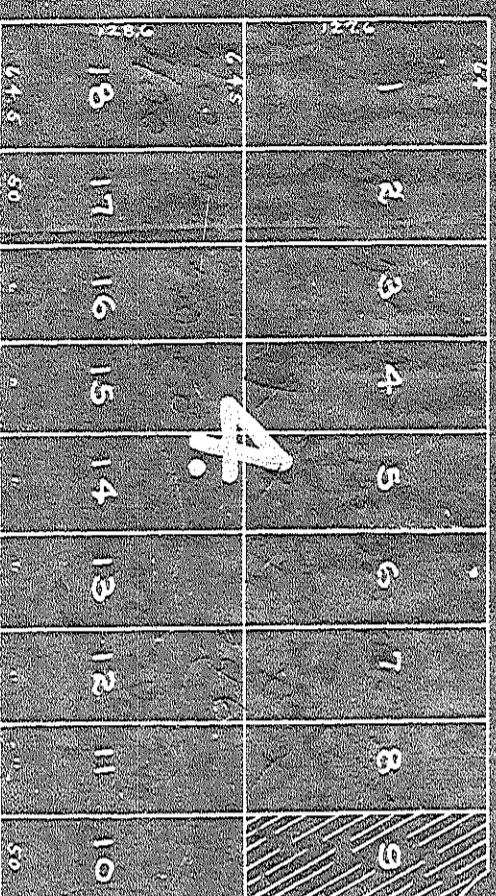
BOULEVARD



MICHIGAN

AVENUE

GREENO



GRAND

PLEASANT

MORPHY

AVENUE.

Traced from original by  
D.T. SAMPSON - Civil Engr.  
FAIRHOPE - ALA.

TENNESSEE - ALABAMA  
AUCTION CO.  
EXCLUSIVE AGENTS.

