

STATE OF ALABAMA,
BALDWIN COUNTY.

Before me, the undersigned authority, in and for said County and said State, personally appeared C. R. Muckley who is known to me, and who having been by me first duly sworn, deposes and says: That he is a resident of Agas, Baldwin County, Alabama, 57 years of age; that he personally knows and has known for the past 25 years the lands in Sections 6, 7, 18, 19, 20 and 29, in Township 1 South of Range 4 East, in Baldwin County, Alabama, and Sections 1, 12 and 13, in Township 1 South of Range 3 East, in Baldwin County, Alabama; that he knows and has had occasion to see and observe during the time that he has known said lands the division line, which begins at the Southeast corner of Section 20, which is the corner of Sections 20, 21, 28 and 29, in Township 1 South of Range 4 East, and runs West one mile to the Southwest corner of said Section 20, thence North one mile to the Southeast corner of Section 18, Township 1 South of Range 4 East, thence West one mile to the Southwest corner of said Section 18, thence North along the West line of Sections 18, 7 and 6, in Township 1 South of Range 4 East; that said line was many years ago surveyed and permanent corner stakes, monuments and blazes placed and made on and along said line, clearly marking, identifying and defining said line; that many of said stakes, monuments, and blazes are still in existence, and that said line is still clearly marked, defined and identified; that he knows of his own personal knowledge that Hulda M. Lawrence has for a number of years owned and been in the possession of lands in Sections 6, 18 and 20 along and adjacent to said divided line; that the said Hulda M. Lawrence has at all times claimed and occupied the said lands up to the said line and treated the same as her own, cutting and removing timber from said lands, up to said line, turpentine the

timber thereon; that the said line so established, marked, identified, and defined has, during the entire time that affiant has known said lands, been accepted as the true dividing line and the respective owners of the lands on, adjacent to or along said line have claimed the lands up to the said dividing line; that so far as your affiant knows the said division line has never been disputed until just a short time ago, when the Complainant complained that the line, as many years ago so established, marked, identified, and defined, was not the true dividing line; that the said Hulda M. Lawrence, and those through whom she claims have, during the entire time that the affiant has known the said lands, been in the open, visible, peaceable, continuous and adverse possession of the lands along and adjacent to said division line, which are now owned by the said Hulda M. Lawrence, ever claiming to own the same to the exclusion of all parties whomsoever.

C. R. Muehling

Sworn to and subscribed before
me this 9 day of June, 1936.

H. H. Hester
Notary Public, Baldwin County,
Alabama.

RECORDED

Duck

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Filed this 16 day June 1936
Robert S. Duck
Clerk-Register

J. D. CROSBY,
Complainant,

VS.

HULDA M. LAWRENCE,
ET AL,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NUMBER 1121.

And now come the Respondents and without waiving the Demurrer and facts and allegations set out in their pleading heretofore, on July 19th, 1932, filed in this cause, amend their answer so that the same shall read as follows:

ONE:

They admit the allegation contained in paragraph One of the Complainant's Bill of Complaint.

TWO:

They admit the allegation contained in paragraph Two of the Complainant's Bill of Complaint as to the ownership of lands therein described and the allegation with reference to boundary lines thereof.

THREE:

They deny all the allegations contained in paragraph Three of the Complainant's Bill of Complaint and particularly that they are trespassing on any land belonging to the Complainant, but on the contrary aver that the Respondent, Hulda M. Lawrence, is the owner and has been in the possession of the land set out in the Bill of Complaint as belonging to her, and which is the subject of this controversy, for more than twenty years; that such possession has been with the consent of the Complainant and has been open, notorious, hostile, undisputed, continuous and adverse against the claims of all persons and with the knowledge of the Complainant.

FOUR:

That they deny all the allegations contained in para-

graph Four of the Complainant's Bill of Complaint.

FIVE:

That they deny each and every material allegation contained in the Complainant's Bill of Complaint not herein expressly admitted, and demand strict proof of the same.

AND FURTHER ANSWERING THE COMPLAINANT'S BILL OF COMPLAINT, the Respondents say:

FIRST:

That the Respondent, Hulda M. Lawrence, is the owner and in the possession of the lands described in the Complainant's Bill of Complaint as belonging to her, and that they are advised and believe that the Complainant is the owner of the lands described in the Bill of Complaint as belonging to him.

SECOND:

That the Complainant and the Respondent, Hulda M. Lawrence, are coterminous owners of the lands as described in the original Bill of Complaint in this cause and the boundary lines between the respective lands of the Complainant and the Respondent, Hulda M. Lawrence, depend upon the same common lines. That the said common boundary line between the lands of the Complainant and the Respondent, Hulda M. Lawrence, begins at the corner of Sections 20, 21, 28 and 29, in Township 1 South of Range 4 East, in Baldwin County, Alabama, and run thence West one mile to the Southwest corner of said Section 20, thence North between Sections 19 and 20 one mile to the Southeast corner of Section 18, in Township 1 South of Range 4 East, thence West one mile to the Southwest corner of said Section 18, and thence North along the West line of Sections 18, 7 and 6, all in Township 1 South of Range 4 East, in Baldwin County, Alabama.

THIRD:

That more than thirty years ago this boundary line was surveyed by the County Surveyor of Baldwin County, Alabama, N. L.

Durant, and the said line between the lands of the Complainant and the Respondent, Hulda M. Lawrence, was marked by the said surveyor by placing stakes at the several corners, and monuments and blazes along and upon trees along the whole length of said line.

FOURTH:

That the Respondent, Hulda M. Lawrence, and her predecessors in title have, for more than thirty years, used all of the lands described in the Complainant's Bill of Complaint as belonging to her up to the line, or lines, so established or marked by the said N. L. Durant, County Surveyor of Baldwin County, Alabama, and have cut and removed timber from the said lands up to the said boundary line, and have caused the pine timber on said lands up to and along said boundary line to be turpentine, and have used the said lands up to and along the said boundary line so established, marked and defined by the said surveyor as the character of said line permitted, and have at all times, since the date of said survey and the locating, marking and establishment of said boundary line, and for more than thirty years, been in the open, notorious, hostile, undisputed, continuous, adverse and peaceable possession of said lands adjoining the said boundary line up to and along the said boundary line as so established, defined and marked, ever claiming the said lands against the claims of all persons, and that the title, possession and use of the Respondent, Hulda M. Lawrence, and her predecessors in title have never been questioned or disputed by any one until just prior to the filing of this suit, when the Complainant first claimed that said boundary lines so marked and established were not the true boundary lines according to the original Government survey; that prior to the time of the filing of the Bill of Complaint in this cause, the Complainant, J. D. Crosby, acknowledged the title and ownership of the Respondent, Hulda M. Lawrence, in and to all of the lands in Section 18, in

Township 1 South of Range 4 East, to which he now claims that the boundary line is in dispute, by leasing said lands from the said Respondent, for turpentine purposes during the years 1929, 1930, and 1931, and by continuing to use the same as the tenant of the said Respondent and by paying to the said Respondent the agreed rent therefor; that the said boundary line so established, marked and defined, as hereinabove stated, between the lands of this Respondent, in said Section 18, and this Complainant was accepted by the Complainant as the true boundary line of the said Respondent; that the said boundary line so surveyed, located, established and defined by the said surveyor, N. L. Durant, more than thirty years ago, has been taken and accepted by all parties owning lands adjacent or near the said boundary line as the true and correct line; that lands have been sold from time to time based on the said boundary line; that the predecessors in title of the Complainant have always accepted the line as established by the said surveyor, N. L. Durant, and have never made any claim over or beyond the said line, but have at all times taken and accepted the said line as the true dividing line between the properties now owned by the Complainant and the Respondent, Hulda M. Lawrence; that neither this Respondent, nor the Respondent, Lawrence Lumber and Manufacturing Company, or any of their servants, agents or employees have ever trespassed upon or attempted to trespass upon, for the purpose of cutting and removing timber, the lands of the Complainant, J. D. Crosby.

Hulda M. Lawrence
Respondent.

B. L. & H. L.
Solicitors for Respondents.

STATE OF ALABAMA, }
BALDWIN COUNTY. }

Before me, the undersigned authority, in and for said County, in said State, personally appeared HULDA M. LAWRENCE, who is known to me and who having been by me first duly sworn, deposes and says: That she is the Respondent in the above styled cause; that she has carefully read over and understands the allegations set out in the Answers above and attached hereto; that the allegations set out therein are true and correct.

Hulda M. Lawrence

Sworn to and subscribed before
me this 9th day of June, 1936.

H. H. H. H.
Notary Public, Baldwin County,
Alabama.

Deck
6-4-10
RECORDED

AMENDED ANSWER.

J. D. CROSBY,

Complainant,

VS.

HULDA M. LAWRENCE,

ET AL,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY,
NUMBER 1121.

*Filed this *16* day *June* 19 *36*

Robert S. Duck

Clerk-Register

J. D. CROSBY,

COMPLAINANT,

-vs-

HULDA M. LAWRENCE and,
LAWRENCE LUMBER & MANUFACTURING
COMPANY, a corporation,

RESPONDENTS.

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

DEMURRER: ANSWERS AND CROSS-BILL
OF RESPONDENT HULDA M. LAWRENCE.

DEMURRER

Come now the Respondents and demur to the Bill of Complaint in the above entitled cause and as grounds for such demur say:

There is no equity in the said bill.

ANSWER

Not waiving, but insisting upon their demur heretofore filed, the Respondents, Hulda M. Lawrence & Lawrence Lumber & Manufacturing Company, for answer to the bill of complaint, allege and show to the court:

FIRST

Our respondents admit the allegations of paragraphs one and two of the bill of complaint.

SECOND

Respondents deny all of the other allegations of said bill of complaint and particularly deny that they are trespassing on any lands belonging to the complainant, but on the contrary aver that the respondent, Hulda M. Lawrence, is the owner and has been in possession of the land which is the subject of this controversy for more than twenty years; that such possession has been with the consent of the complainant, and has been open, notorious, hostile, undisputed, continuous, adverse, against the claims of all persons and with the knowledge of the complainant.

Wherefore, having fully answered, the Respondents pray that they may go hence without day, and have judgment against the complainant, J. D. Crosby for their costs herein expended.

Deck
6-4-10
RECORDED

AMENDED ANSWER.

J. D. CROSBY,

Complainant,

VS.

HULDA M. LAWRENCE,

ET AL,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY,
NUMBER 1121.

*Filed this 16 day June 1936

Robert S. Duck

Clerk-Register

CROSS-BILL OF RESPONDENT, HULDA M. LAWRENCE.

For further answer and by way of Cross-Bill against the Complainant, J. D. Crosby, Respondent Hulda M. Lawrence alleges and shows to the court:

1: That she is the owner of the lands in Sections 6, 17, 18 and 20 in Township 1 South, Range 4 East, in Baldwin County, Alabama, all as more particularly set out in paragraph two of the bill of complaint, and that the complainant, J. D. Crosby, is the owner of the lands in Section 1 and 13 in Twonship 1 South, Range 3 East and in Sections 19 and 29 in Township 1 South, Range 4 East, all as set out in paragraph two of the bill of Complaint.

2: That said complainant J. D. Crosby and your respondent and cross-complainant Hulda M. Lawrence are coterminous owners of the lands in said Sections and the boundary lines between the respective lands of the complainant and this respondent and cross-complainant, depend upon the same common lines. That the said common line between the lands of the complainant and this respondent and cross-complainant is a line which begins at the corner between Sections 20, 21, 28 and 29, in Township 1 South, Range 4 East, in Baldwin County, Alabama and runs thence west one mile to the Southwest corner of said Section 20; thence North between Sections 19 and 20 one mile to the Southeast corner of Section 18; thence west one mile to the Southeast corner of Section 18 and thence north along the West line of Section 18 and the West line of Section 7 and the West line of Section 6, all in Township 1 South, Range 4 East, in Baldwin County, Alabama.

3: That more than 30 years ago this boundary line was surveyed by the county surveyor of Baldwin County, Alabama, N. L. Durant, at the request of the predecessors in title of the complainant and the line was marked by the said N. L. Durant by corner stakes and monuments and blazes upon the trees along the whole length of said line.


4: That this respondent and her predecessors in title for more than 30 years have used all of the lands in Sections 6, 17, 18 and 20 up to the line or lines so established and marked by the said N. L. Durant, County Surveyor of Baldwin County, and have cut timber off of said lands up to said boundary line and have caused the pine timber on said land up to said boundary line to be turpentine and have made such use of said lands up to said lines so established as the character of said lands permit and have at all times since the date of said survey and the marking and establishment of said boundary lines, and for more than 30 years, been in the open, notorious, hostile, undisputed, continuous, adverse possession thereof, claiming said lands up to said boundary line so established against the claims of all persons and that the possession and use of the respondent, Hulda M. Lawrence, and her predecessors in title has never been questioned or disputed by anyone until just prior to the filing of this suit when the claimant first claimed that said boundary lines so marked and established were not the true boundary lines according to the original government survey; that heretofore, and during the years 1929, 1930 and 1931 the claimant, J. D. Crosby, acknowledged the title and ownership of the respondent in and to all of the lands in Section 18, to which he now claims that the boundary line is in dispute, by leasing said lands from the respondent for turpentine and by continuing to use the same as the tenant of the respondent and by paying to the respondent the agreed rent therefor.

5: Respondent avers that whether the lines so established by N. L. Durant, County Surveyor of Baldwin County, Alabama, more than 30 years ago, are and have been incorrect, according to the original government surveys, or not, that she now has and for years has had title to all of said lands up to the lines of said Durant Survey by adverse possession; that a great many tracts of land in Sections 6, 7, and 18 have been sold and conveyed in small tracts of five and ten acres to a multitude of persons; that all of said conveyances have been made with reference to the line so established by the Durant Survey and that if said line should now be changed it would produce confusion and uncertainty as to the true boundary lines of a large number of tracts of land in Township 1 South Range 4 East and

that the boundary lines of all the tracts of land within said Township would be rendered uncertain and disputed.

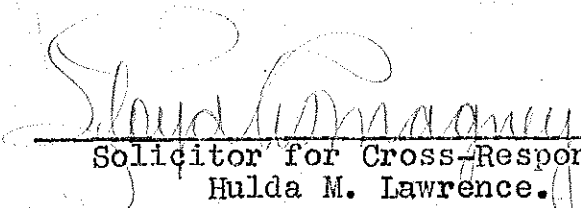
PRAYER FOR RELIEF

Wherefor your Respondent and cross-complainant Hulda M. Lawrence prays that this may be taken as a Cross-Bill against the complainant, J. D. Crosby; that the said complainant J. D. Crosby be required to demur, plead to or answer said Cross-Bill within the time allowed by the rules of this Honorable Court; that upon a final hearing of this cause Your Honor will decree that the boundary lines of the lands set out and described in the bill of complaint and in this Cross-Bill be settled, determined and fixed as the line established by the said N. L. Durant, Surveyor; that your respondent and cross-complainant Hulda M. Lawrence be decreed to be the owner of all of the lands in Sections 6, 18 and 20 in Township 1 South, Range 4 East, in Baldwin County, Alabama up to the line of said N. L. Durant Survey and that the complainant J. D. Crosby be perpetually enjoined from having, claiming or asserting any right,, title or interest in and to the lands so decreed to your respondent and cross-complainant Hulda M. Lawrence, and from interfering with the use and enjoyment of said lands by your respondent and cross-complainant Hulda M. Lawrence. That Your Honor will appoint a competent surveyor or surveyors to establish permanent stone or iron land marks upon the line of the said N. L. Durant survey and to mark the corners thereof, and to make a report to the Court which will actually and accurately describe the land markings so erected and define their locations and settle and determine the true and accurate location of said boundary line and that your respondent and cross-complainant Hulda M. Lawrence, may have such other, further and ~~different~~ relief in the premises as may be just and equitable; and your respondent and cross-complainant will ever pray; etc.


Solicitor for Respondents and
Cross-Complainant Hulda M. Lawrence.

FOOT NOTE

The complainant J. D. Crosby is hereby required to answer all of the allegations of the cross-complaint of the respondent Hulda M. Lawrence from paragraph one to paragraph five, both inclusive, but not under oath, oath to said answer being hereby expressly waived.


Solicitor for Cross-Respondent
Hulda M. Lawrence.

J. D. CROSBY,

Complainant,

VS.

HULDA M. LAWRENCE AND
LAWRENCE LUMBER AND MANU-
FACTURING COMPANY, a Corp-
oration,

Respondents.

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

DEMURRER.

Comes the Complainant and Cross-Respondent, J. D. Crosby,
and for demurrer to the Cross Bill filed in said cause, and to each
and every count thereof separately and severally says:

1. There is no equity in the Cross Bill.



Solicitor for Complainant and Cross-
Respondent.

STATE OF ALABAMA,
BALDWIN COUNTY.

Before me, the undersigned authority, in and for said County and said State, personally appeared R. J. Richman, who is known to me, and who having been by me first duly sworn, deposes and says: That he is a resident of P. A. Ramey, Baldwin County, Alabama, 68 years of age; that he personally knows and has known for the past 35 years the lands in Sections 6, 7, 18, 19, 20 and 29, in Township 1 South of Range 4 East, in Baldwin County, Alabama, and Sections 1, 12 and 13, in Township 1 South of Range 3 East, in Baldwin County, Alabama; that he knows and has had occasion to see and observe during the time that he has known said lands the division line, which begins at the Southeast corner of Section 20, which is the corner of Sections 20, 21, 28 and 29, in Township 1 South of Range 4 East, and runs West one mile to the Southwest corner of said Section 20, thence North one mile to the Southeast corner of Section 18, Township 1 South of Range 4 East, thence West one mile to the Southwest corner of said Section 18, thence North along the West line of Sections 18, 7 and 6, in Township 1 South of Range 4 East; that said line was many years ago surveyed and permanent corner stakes, monuments and blazes placed and made on and along said line, clearly marking, identifying and defining said line; that many of said stakes, monuments, and blazes are still in existence, and that said line is still clearly marked, defined and identified; that he knows of his own personal knowledge that Hulda M. Lawrence has for a number of years owned and been in the possession of lands in Sections 6, 18 and 20 along and adjacent to said divided line; that the said Hulda M. Lawrence has at all times claimed and occupied the said lands up to the said line and treated the same as her own, cutting and removing timber from said lands, up to said line, turpentine the

timber thereon; that the said line so established, marked, identified, and defined has, during the entire time that affiant has known said lands, been accepted as the true dividing line and the respective owners of the lands on, adjacent to or along said line have claimed the lands up to the said dividing line; that so far as your affiant knows the said division line has never been disputed until just a short time ago, when the Complainant complained that the line, as many years ago so established, marked, identified, and defined, was not the true dividing line; that the said Hulda M. Lawrence, and those through whom she claims have, during the entire time that the affiant has known the said lands, been in the open, visible, peaceable, continuous and adverse possession of the lands along and adjacent to said division line, which are now owned by the said Hulda M. Lawrence, ever claiming to own the same to the exclusion of all parties whomsoever.

R. J. Richardson

Sworn to and subscribed before
me this 9 day of June, 1936.

H. H. Store
Notary Public, Baldwin County,
Alabama.

~~NOTARY PUBLIC, BERGAIN COUNTY,~~
George

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MEMORANDUM

H. Lawrence, ever claiming to own the same to the exclusion of all
 intent to said division time, although she now owned by the said Hilda
 wife, continuous and adverse possession of the lands above and ad-
 adjacent her known the said lands, been in the open, peace, possession
 those through upon the claims made, during the entire of that the
 not the true dividing time; that the said Hilda H. Lawrence, and
 many years ago so established, married, identified, and settled, now
 about five ago, when the Government complained that the same, as
 known the said division time has never been completed until just a
 few days ago to the said dividing time; that so far as your official
 owners of the lands on, adjacent to or along said line have claimed
 said lands, been accepted as the true dividing line and the respective
 lines, and getting her, during the entire time that attempt has known
 whether thereon that the said line as established, marked, identified,

STATE OF ALABAMA,)
BALDWIN COUNTY.)

Before me, the undersigned authority, in and for said County and said State, personally appeared Emilio P. Diaz, who is known to me, and who having been by me first duly sworn, deposes and says: That he is a resident of Dyab, Baldwin County, Alabama, 40 years of age; that he personally knows and has known for the past 25 years the lands in Sections 6, 7, 18, 19, 20 and 29, in Township 1 South of Range 4 East, in Baldwin County, Alabama, and Sections 1, 12 and 13, in Township 1 South of Range 3 East, in Baldwin County, Alabama; that he knows and has had occasion to see and observe during the time that he has known said lands the division line, which begins at the Southeast corner of Section 20, which is the corner of Sections 20, 21, 28 and 29, in Township 1 South of Range 4 East, and runs West one mile to the Southwest corner of said Section 20, thence North one mile to the Southeast corner of Section 18, Township 1 South of Range 4 East, thence West one mile to the Southwest corner of said Section 18, thence North along the West line of Sections 18, 7 and 6, in Township 1 South of Range 4 East; that said line was many years ago surveyed and permanent corner stakes, monuments and blazes placed and made on and along said line, clearly marking, identifying and defining said line; that many of said stakes, monuments, and blazes are still in existence, and that said line is still clearly marked, defined and identified; that he knows of his own personal knowledge that Hulda M. Lawrence has for a number of years owned and been in the possession of lands in Sections 6, 18 and 20 along and adjacent to said divided line; that the said Hulda M. Lawrence has at all times claimed and occupied the said lands up to the said line and treated the same as her own, cutting and removing timber from said lands, up to said line, turpentine the

timber thereon; that the said line so established, marked, identified, and defined has, during the entire time that affiant has known said lands, been accepted as the true dividing line and the respective owners of the lands on, adjacent to or along said line have claimed the lands up to the said dividing line; that so far as your affiant knows the said division line has never been disputed until just a short time ago, when the Complainant complained that the line, as many years ago so established, marked, identified, and defined, was not the true dividing line; that the said Hulda M. Lawrence, and those through whom she claims have, during the entire time that the affiant has known the said lands, been in the open, visible, peaceable, continuous and adverse possession of the lands along and adjacent to said division line, which are now owned by the said Hulda M. Lawrence, ever claiming to own the same to the exclusion of all parties whomsoever.

Sullivan Banks

Sworn to and subscribed before
me this 9 day of June, 1936.

W. C. [Signature]
Notary Public, Baldwin County,
Alabama.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-11-2010 BY 60322
UCBAW/BJA

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Filed this 10 day June 1920
Robert B. Dick
 Clerk-Register

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LLOYD A. MAGNEY
ATTORNEY AND COUNSELLOR AT LAW
FOLEY, ALABAMA
July 18, 1933

Hon. Ramsey Stewart
Register in Chancery
Bay Minette, Alabama

Dear Sir:

I enclose herewith for filing Demurrer, Answers
and Cross-Bill of the Respondents in the case of J. D.
Crosby versus Hulda M. Lawrence, et al.

I have mailed a copy to Mr. Blackburn, solicitor
for the complainant.

Very truly yours,

Lloyd A. Magney

LAM:LP

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon HULDA M. LAWRENCE and
THE LAWRENCE LUMBER AND MANUFACTURING 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 Sum-
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by
J. D. CROSBY

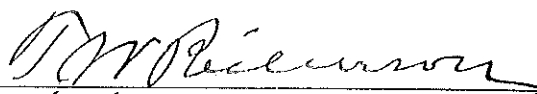
against said HULDA M. LAWRENCE & LAWRENCE LUMBER & MANUFACTURING COMPANY,
a corporation

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 24th day of

June

193 3



Register

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

ORIGINAL
FILED

Court of Baldwin County
In Equity

THE STATE OF ALABAMA,
BALDWIN COUNTY

No. _____

SUMMONS

Received in office this 24th
day of June 1933 19____
W.R. Stuart
Sheriff.

Executed this 24th day of
June 1933 19____
by leaving a copy of the within Summons with

J.D. CROSBY

vs.

J. LAWRENCE and

E. LUMBER & MANUFACT-

COMPANY, a corp

Hilda M. Lawrence
and Hilda M. Lawrence as
Lawrence Lumber and
Manufacturing Co. a Corp Defendant.

W.R. Stuart Sheriff.
By W.R. Stuart
Deputy Sheriff.

R. Blackburn

Solicitor for Complainant

Vol. _____ Page _____

J. D. CROSBY,
Complainant,

VS.

HULDA M. LAWRENCE,
ET AL,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN CHANCERY,

NUMBER 1121.

TO HONORABLE J. D. CROSBY, COMPLAINANT, AND HONORABLE J. B. BLACKBURN, SOLICITOR FOR COMPLAINANT IN THE ABOVE STYLED CAUSE:

NOTICE IS HEREBY GIVEN that motion will be made before Honorable F. W. Hare, Judge of the Circuit Court of Baldwin County, Alabama, on the 30 day of June, 1936, to dissolve the injunction issued in the above styled cause against the Respondents, their agents, servants and employees from cutting or removing any timber lying along the disputed boundary line between the lands owned by the said Complainant and the Respondent, Hulda M. Lawrence, which is more particularly described in the original Bill of Complaint in the said cause to which reference is hereto made as though the same were fully incorporated herein; from trespassing on any lands belonging to the said Complainant and from doing anything or from taking any action which would disturb the status quo of the said property, which said lands being fully set out and described in the original Bill of Complaint filed in this cause, on to-wit, June 23rd, 1933, upon the following ground:

One:

Upon the Amended Answer of the Respondent, Hulda M. Lawrence, duly sworn to and filed in this cause on the 16 day of June, 1936.

x Hulda M. Lawrence
Respondent.

F. W. Hare
Solicitors for Respondents.

Duck
RECORDED
6-413

Leave on.
J. B. Black

NOTICE OF MOTION TO DISSOLVE
INJUNCTION

J. D. CROSBY,

Complainant,

VS.

HULDA M. LAWRENCE, ET AL,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN CHANCERY,

NUMBER 1121.

Filed this 16 day June 1936
Robert S. Duck
Clerk-Register

Executed June
by serving copy of w.
C. uri
J. B. Black

M. H. Wilk
C. N. Ande

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J. D. CROSBY,

Complainant,

VS.

HULDA M. LAWRENCE,
ET AL,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN CHANCERY,

NUMBER 1121.

Comes the Respondent, HULDA M. LAWRENCE, and moves the Court to dissolve the injunction heretofore issued in the aforesaid cause on the 24th day of June, 1933, enjoining the Respondents, their agents, servants and employees from cutting or removing any timber lying along the disputed boundary line between the lands owned by the Complainant and this Respondent, which is more particularly described in the original Bill of Complaint in the said cause to which reference is hereto made as though the same were fully incorporated herein; from trespassing on any lands belonging to the said J. D. Crosby and from doing anything or from taking any action which would disturb the status quo of the said property pending the determination of the issues set up in said suit, and for ground of such dissolution the said Respondents submit:

FIRST:

Amended Answer of the Respondents, duly sworn to and filed in this cause on the 16 day of June, 1936.

Hulda M. Lawrence
Respondent.

Burley H. Hare
Solicitors for Respondents.

Duck
RECORDED
6-413
Motion 55
MOTION TO DISSOLVE INJUNCTION.

J. D. CROSBY,

Complainant,

VS.

HULDA M. LAWRENCE, ET AL,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN CHANCERY,

NUMBER 1121.

Filed this 16 day June 1936

Robert E. Duck

Clerk-Register

WRIT OF INJUNCTION.

STATE OF ALABAMA }
BALDWIN COUNTY }

IN THE CIRCUIT COURT OF SAID COUNTY:

TO HULDA M. LAWRENCE AND LAWRENCE LUMBER AND MANUFACTURING COMPANY,
A CORPORATION:

You will take notice that on the 23rd day of June, 1933, J. D. Crosby filed in the Circuit Court of Baldwin County, Alabama, his Bill of Complaint against Hulda M. Lawrence and the Lawrence Lumber and Manufacturing Company, a Corporation, praying among other things for an injunction against the said Hulda M. Lawrence and the Lawrence Lumber and Manufacturing Company, a Corporation.

That the said Bill of Complaint was presented to the Honorable F. W. Hare, Judge of said Court, that the said Judge made the following endorsement thereon:

"To T. W. Richerson, Register of the Circuit Court of Baldwin County, Alabama:

On Complainant's entering into bond in the sum of \$250.00 with sufficient surety to be approved by you as Register, conditioned as required by law, let injunction issue as prayed for in the foregoing Bill of Complaint.

Given under my hand this 23rd day of June, 1933.

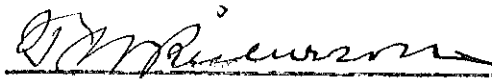
F. W. Hare, Judge"

You will further take notice that the said J. D. Crosby has entered into bond in the sum of \$250.00 conditioned as prescribed by law, which said bond has been approved by me.

NOW THEREFORE, you and each of you, together with your respective agents, servants and employees, are hereby commanded and enjoined from cutting or removing any timber lying along the disputed boundary lines between lands owned by the said J. D. Crosby and Hulda M. Lawrence which is more particularly described in the original Bill of Complaint in the said cause to which re-

ference is hereto made as though the same were fully incorporated herein; from trespassing on any lands belonging to the said J. D. Crosby and from doing anything or from taking any action which would disturb the status quo of the said property pending the determination of the issues set up in said suit.

IN TESTIMONY OF ALL OF WHICH I, T. W. Richerson, Register of said Court, have hereunto set my hand as Register on this the 24th day of June, 1933.

A handwritten signature in cursive script, appearing to read "T. W. Richerson", is written over a horizontal line.

Register.

INJUNCTION BOND.

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS: That we, J. D. Crosby, as Principal and J. C. Burns and C. A. Thompson, as Sureties, are held and firmly bound unto Hulda M. Lawrence and Lawrence Lumber and Manufacturing Company, in the sum of \$ 250.00 for the payment of which we hereby bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated the 23rd day of June, 1933.

The condition of the above obligation is such that whereas the said J. D. Crosby has filed his Bill of Complaint against the said Hulda M. Lawrence and the Lawrence Lumber and Manufacturing Company, a Corporation, in the Circuit Court of Baldwin County, Alabama, on the 23rd day of June, 1933, and has obtained thereon an order for the issuance of an injunction from the Honorable F. W. Hare, Judge of said Court to restrain and enjoin Hulda M. Lawrence and the Lawrence Lumber and Manufacturing Company, a Corporation, their respective agents, servants or employees from cutting or removing any of the timber involved in the controversy made by said suit and from trespassing on any lands belonging to the said J. D. Crosby, or from doing anything or from taking any action which would disturb the status quo of the said property pending the determination of the issues set up in said suit.

NOW THEREFORE, if the said J. D. Crosby shall pay or cause to be paid all such damages and costs which the Respondents or each of them may sustain by the suing out of such injunction if the same be dissolved, then this obligation to be void, otherwise it shall remain in full force and effect.

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

J. D. Crosby (SEAL)
J. C. Burns (SEAL)
L. A. Thompson (SEAL)

Taken and approved on this the
23 day of June, 1933.

W. H. Williams

Register in Chancery.

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

Your Orator, J. D. Crosby, brings this his Bill of Complaint against Hulda M. Lawrence and the Lawrence Lumber and Manufacturing Company, a Corporation, and thereupon your Orator complains and shows unto the Court as follows:

1. Your Orator is over the age of twenty-one years and resides in Baldwin County, Alabama; the Respondent, Hulda M. Lawrence, is over the age of twenty-one years and resides in Baldwin County, Alabama, and the Respondent, Lawrence Lumber and Manufacturing Company, is a Corporation, organized and existing under the Laws of Alabama with its principal place of business at Dyas, in Baldwin County, Alabama.

2. Your Orator is the owner of all of the East Half of the Southeast Quarter of Section 1, Township 1 South, Range 3 East; the Respondent, Hulda M. Lawrence, owns the Northwest Quarter of the Southwest Quarter of Section 6, Township 1 South Range 4 East; your Orator also owns all of the East Half of the East Half of Section 13, Township 1 South Range 3 East; the Respondent Hulda M. Lawrence owns the West Half of the West Half of Section 18, Township 1 South Range 4 East, the South Half of the Southwest Quarter of said Section 18 and also land in the South Half of the Southeast Quarter of the said Section 18, a more particular description of which is unknown to your Orator; your Orator also owns all of Section 19 Township 1 South Range 4 East and the Respondent, Hulda M. Lawrence owns all of Section 20, Township 1 South Range 4 East except the Northeast Quarter and your Orator also owns the North Half of the North Half of Section 29, Township 1 South Range 4 East, all in Baldwin County, Alabama. Your Orator and the Respondent, Hulda M. Lawrence are co-terminus owners of the land in the said Sections and the boundary lines between the respective lands of your Orator and the Respondent, Hulda M. Lawrence, depend upon the same common lines which are disputed. and your Orator Brings this Bill of

Complaint to establish the disputed boundary lines between the respective lands of your Orator and the Respondent, Hulda M. Lawrence, and to determine any and all adverse claims in respect to any portion of the land involved which it may be necessary to determine for a complete settlement of the said boundary lines.

3. Your Orator avers that there is valuable timber on the land lying along the said disputed boundary lines which constitutes the principal value of the said property and that a great part of the land in dispute lies in a thick swamp making it impossible to tell what part of it belongs to your Orator and what part of it belongs to the Respondent, Hulda M. Lawrence. Your Orator further avers that the said Respondents or their agents, servants or employees have already cut a number of pine trees lying along the said disputed boundary lines permanently and irreparably injuring the said lands and that the said Respondents or their agents, servants or employees are now attempting to remove a part of the said timber or trees; that the Respondents' operations in the past have consisted of a number of separate and distinct trespasses whereby they traveled over and trespassed on other lands of your Orator and they have manifested a purpose to continue cutting and removing timber and trees from along the said disputed boundary lines until all of the said timber and trees are cut and removed therefrom.

4. Your Orator avers that the Respondent, Hulda M. Lawrence, cannot be heard to say that she has offered him a reasonable settlement of the said disputed boundary lines; for on the other hand your Orator charges and states the fact to be that he has requested the Respondent to aid and assist him in properly establishing the said lines and that he has offered to help her pay a competent surveyor to establish them, all of which have been refused by her.

THE PREMISES CONSIDERED, your Orator respectfully prays the Court as follows:

PRAYER FOR PROCESS.

Your Orator prays that the said Hulda M. Lawrence and said Lawrence Lumber and Manufacturing Company, a Corporation, be made parties respondent to this Bill of Complaint and that the usual process of this Honorable Court do forthwith issue to them and each of them requiring them and each of them to answer the charges herein made in all things as required by the rules and practices of this Court.

PRAYER FOR RELIEF.

Your Orator further prays that upon the hearing of this cause your Honor will, by proper process as provided by the Laws of Alabama, ascertain the true location of the said disputed boundary lines between the lands of your Orator and the said Respondent, Hulda M. Lawrence, and will determine any and all adverse claims in respect to any portions of the land involved which may be necessary for a complete settlement of the said disputed boundary lines and will make an order locating and defining the boundary lines involved by reference to permanent land marks or other means as may be proper and will render a decree fixing the boundary lines and each of them as so determined. Your Orator further prays that your Honor will appoint a competent surveyor or surveyors to establish permanent stone or iron land marks in accordance with the decree from which future surveys of the land embraced in the decree shall be made, and will require such surveyor or surveyors to make a report to the Court which will actually describe the land marks so erected and define their location as nearly as practicable. Your Orator further prays that pending final hearing and determination of the issues of this suit your Honor will cause to be issued a temporary writ of injunction or restraining order according to the rules and practices of this Honorable Court restraining and enjoining the Respondents, Hulda M. Lawrence and the Lawrence Lumber and Manufacturing Company, a Corporation, their respective agents, servants or employees from cutting or removing any of the timber

ing to your Orator and from doing anything or taking any action which would disturb the status quo of said property.

Your Orator further prays for such other, further and general relief as in equity and good conscience may be due him in the premises.

J. B. Blackburn
Solicitor for Complainant.

FOOT NOTE: The Respondents and each of them are required to answer each and every paragraph of the foregoing Bill of Complaint numbered 1 to 4 both inclusive, but not under oath, the benefit whereof is hereby expressly waived.

J. B. Blackburn
Solicitor for Complainant.

TO THE HONORABLE T. W. RICHESON, REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

On Complainant's entering into bond in the sum of \$ 250⁰⁰ with sufficient surety to be approved by you, as Register, conditioned as required by law, let an injunction issue as prayed for in the foregoing Bill of Complaint.

Given under my hand this 23rd day of June, 1933.

J. W. Hare
Judge.

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

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Complaint to establish the disputed boundary lines between the respective lands of your Orator and the Respondent, Hulda M. Lawrence, and to determine any and all adverse claims in respect to any portion of the land involved which it may be necessary to determine for a complete settlement of the said boundary lines.

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ing to your Orator and from doing anything or taking any action which would disturb the status quo of said property.

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J. B. Blackburn
Solicitor for Complainant.

FOOT NOTE: The Respondents and each of them are required to answer each and every paragraph of the foregoing Bill of Complaint numbered 1 to 4 both inclusive, but not under oath, the benefit whereof is hereby expressly waived.

J. B. Blackburn
Solicitor for Complainant.

TO THE HONORABLE T. W. RICHMOND, REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

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Given under my hand this 23rd day of June, 1933.

F. W. HARE
Judge.

J. D. CROSBY,

Complainant,

VS.

HULDA M. LAWRENCE and
LAWRENCE LUMBER AND MANUFACT-
URING COMPANY, a Corporation,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. ____.

DEMURRER AND ANSWER TO CROSS BILL.

DEMURRERS.

Comes the Complainant and Cross Respondent, J. D. Crosby, and for demurrer to the Cross Bill filed in said cause and to each and every count thereof separately and severally says:

1. It does not describe the location of what is referred to as the "Durant Line".
2. It does not definitely allege what part of the said disputed boundary lines is covered by what is described or referred to as the "Durant Line".
3. It does not definitely and completely describe the boundary lines in dispute.

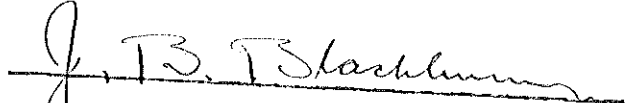
ANSWER.

Without waiving the demurrers filed by the Complainant and Cross Respondent in said cause the Complainant and Cross Respondent for answer to the Cross Bill filed in said cause and to each and every count thereof, respectfully alleges and shows unto the Court as follows:

1. The Complainant and Cross Respondent admits the allegations of paragraph numbered "One" of the Cross Bill.
2. The Complainant and Cross Respondent admits the allegations contained in paragraph numbered "Two" of the Cross Bill in so far as it refers to the said disputed boundary lines but for

further answer to the Cross Bill says, that the lines between the property of the Complainant and Cross Respondent in Section 1 and that of the Respondent and Cross Complainant in Section 6 are also in dispute.

3. The Complainant and Cross Respondent for further answer to the Cross Bill including any part thereof not hereinabove specifically answered, denies each and all other allegations thereof.


Solicitor for Complainant and
Cross Respondent.

CHANCERY EXECUTION

BILL OF COSTS

No. 1121

VS.

PLAINTIFF

DEFENDANT

FEES OF REGISTER	
Filing each bill and other papers	\$ 10
Issuing each subpoena	50
Issuing each copy thereof	40
Entering each return thereof	15
For each order of publication	1 00
Issuing Writ of injunction	1 50
For each copy thereof	50
Entering each return thereof	15
Issuing Writ of Attachment	1 00
Entering each return thereof	15
Docketing each case	1 00
Entering each appearance	25
Issuing each decree pro confesso on per ser.	1 00
Issuing each decree pro confesso on publica	1 00
Each order appointing guardian	1 00
Any other order by Register	50
Issuing Commission to take testimony	50
Receiving and tiling	10
Endorsing each package	10
Entering order submitting cause	50
Entering any other order of court	25
Noting all testimony	50
Abstract of cause, etc.	1 00
Entering each decree	75
For every 100 words over 500	15
Taking account, etc.	3 00
Taking testimony, etc.	15
Each report, 500 words or less	2 50
For every 100 words over 500	15
Amount claimed less than \$500, etc.	2 00
Issuing each subpoena	25
Witness certificate, each	25
Issuing execution, each	75
Entering each return	15
Taking and approving bond, each	1 00
Making copy of bill, etc.	15
Each notice not otherwise provided for	50
Each certificate or affidavit, with seal	50
Each certificate or affidavit, no seal	25
Hearing and passing on application, etc.	3 00
Each settlement with Receiver, etc.	3 00
Examining each voucher of Receiver, etc.	10
Examining each answer, etc.	3 00
Recording resignation, etc.	75
Entering each certificate to Supreme Court	50
Taking questions and answers, etc.	25
For all other ser relating to such proceedings	1 00
For services in proceeding to relieve minors, etc., same fee as in similar cases.	
Commission on sales, etc: 1st \$100, 2 per cent: all over \$100 and not exceeding \$1,000, 1 1-2 per cent; all over \$1,000, and not exceeding \$20,000, 1 per ct; all over 20,000, 1-4 of 1 per cent.	

Sub Total Carried Forward

Dollars Cents

Brought Forward

For Receiving, keeping and paying out or distributing money, etc.: 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	
Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Each notice sent by mail to creditor	15
Filing receipting for and docketing each claim, etc.	25
For all entries on subpoena docket, etc.	50
For all entries on commission docket, etc.	50
Making final record, per 100 words	15
Certified copy of decree	1 00
Report of divorce to State Health Office (Acts 1915)	50

TOTAL FEES OF REGISTER

FEES OF SHERIFF

Serving and returning subpoena on def.	\$1 50
Serving and returning subpoena for witness	65
Levying attachment	3 00
Entering and returning same	25
Selling property attached	
Impaneling Jury	75
Executing Writ of possession	2 50
Collecting execution for costs	1 50
Serving and returning sci. fa., each	65
Serving and returning notice	65
Serving and returning writ of injunction	1 50
Serving and returning writ of exeat	1 50
Taking and approving bonds, each	75
Collecting money on execution	
Making Deed	2 50
Serving and returning application, etc.	1 00
Serving attachment, contempt of court	1 50

TOTAL FEES OF SHERIFF

RECAPITULATION

Register's Fees	
Sheriff's Fees	
Commissioner's Fees	
Solicitor's Fees	
Witness Fees	
Guardian Ad Litem	
Printer's Fees	
Trial Tax	3 00
Recording Decree in Probate Court	

TOTAL

The State of Alabama, {
Baldwin County

No. 1121

Circuit Court, In Equity

Term, 1931

To any Sheriff of the State of Alabama—GREETING:

You are hereby commanded, That of the goods and chattels, lands and tenements of

Defendant

you cause to be made the sum of

Dollars,

which

Plaintiff

recovered of

on the

day of

1931

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of

Dollars,