

BALDWIN LAND HOLDING COMPANY,
INC., a corporation, and
S. F. GAILLARD, JR.,

Complainants,

versus

C. B. MITCHELL, J. L. TUCKER,
and R. F. MITCHELL, JR., co-
partners trading and doing business
under the firm, name and style of
MITCHELL NAVAL STORES CO., and
J. L. TUCKER, Individually,

Defendants.

IN THE CIRCUIT COURT
OF BALDWIN COUNTY,
ALABAMA, IN EQUITY.
IN THE TWENTY-FIRST
JUDICIAL CIRCUIT OF
THE STATE OF ALABAMA.

TO THE HONORABLE FRANCIS W. HARR, JUDGE OF SAID COURT, IN
EQUITY SITTING:

Come your complainants, Baldwin Land Holding Company, Inc., a corporation organized and existing under and by virtue of the laws of the State of Alabama, and S. F. Gaillard, Jr., who is over the age of twenty-one years and a resident of Mobile County, Alabama, and brings this their bill of complaint against C. B. Mitchell, J. L. Tucker, and R. F. Mitchell, Jr., co-partners trading and doing business under the firm, name and style of Mitchell Naval Stores Co., with its principal place of business in the town of Seminole, Baldwin County, Alabama, and J. L. Tucker, individually, who is a resident of the town of Seminole, Baldwin County, Alabama, and complainants respectfully show unto your Honor as follows:

1. Defendants are adult residents of the State of Alabama, County of Baldwin.

2. Complainants own and claim to own the following described real property in Baldwin County, Alabama, to-wit:

North Half of the Northwest Quarter of the Northwest Quarter of the Southwest Quarter, Section 6, Township 6 South, Range 5 East;

North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter, Section 6, Township 6 South, Range 5 East;

South Half of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter, Section 6, Township 6 South, Range 5 East;

North Half of the Northwest Quarter of the Southwest Quarter of the Southeast Quarter, Section 6, Township 6 South, Range 5 East;

South Half of the Southwest Quarter of the Northwest Quarter of the Southwest Quarter, Section 6, Township 6 South, Range 5 East;

East Half of the South Half of the Southeast Quarter of the Northeast Quarter of the Northwest Quarter, and the North Half of the Northeast Quarter of the Northwest Quarter of the Southwest Quarter, Section 7, Township 6 South, Range 5 East;

South Half of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter, Section 7, Township 6 South, Range 5 East;

North Half of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter, Section 17, Township 6 South, Range 5 East;

West Half of the Northwest Quarter of the Northeast Quarter, Section 28, Township 6 South, Range 5 East;

North Half of the Southwest Quarter of the Southeast Quarter of the Southeast Quarter, Section 29, Township 6 South, Range 5 East;

North Half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter, Section 29, Township 6 South, Range 5 East;

South Half of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter, Section 30, Township 6 South, Range 5 East.

3. Complainants allege that the defendants were negotiating with the complainants for the purchase of said property and requested the complainants to allow them sufficient time to investigate the title thereof, and that during such time so allowed the defendants for such investigation, the defendants were cutting timber from said property and turpentineing a part of it, all without the knowledge or consent of the complainants.

4. Complainants allege that the defendants are committing waste on said property by the cutting and removing of such timber and by the turpentineing of the trees thereon, and that in order to protect the interests

of the complainants, it is necessary that an injunction immediately issue against the defendants, directing said defendants to cease and desist from committing waste on said property of the complainants, and that it is necessary that the defendants be stopped by Court Order from turpentineing and cutting said trees.

5. Complainants allege that they have no adequate remedy at law.

6. Complainants allege that the defendants have damaged complainants to the extent of One Thousand (\$1,000.00) Dollars.

PRAYER FOR PROCESS

Complainants pray that your Honor will take jurisdiction of this cause; and that you will order the State's subpoenas to issue directed to the defendants in this cause.

PRAYER FOR RELIEF

THE PREMISES CONSIDERED, your complainants pray that a temporary injunction be immediately issued by this Honorable Court requiring said defendants to cease and desist from the cutting of the timber from said property, and that at a final hearing of said cause, this Honorable Court will enter a permanent order restraining said defendants from cutting the timber from and turpentineing the trees on said property. Complainants further pray that the defendants be required to pay to the complainants the sum of One Thousand (\$1,000.00) Dollars for the unlawful cutting of the timber from and the unlawful use of the trees on said property, and complainants pray for such other, further and different relief as they may, in equity and justice, be entitled to in the premises.

(signed) GAILLARD & GAILLARD
Solicitors for Complainants.

FOOT NOTE:

Defendants are required to answer each and every allegation contained in the foregoing bill of complaint from Paragraphs one to six, both inclusive, but answer under oath is hereby expressly waived.

[Handwritten signatures and notes in the left margin]

(signed) GAILLARD & GAILLARD
Solicitors for Complainants.

STATE OF ALABAMA)
COUNTY OF MOBILE)

Personally appeared before me, Fanny Knight Gaillard, a Notary Public in and for said County and State, S. P. GAILLARD, JR., who, being by me first duly sworn, deposes and says that he has read over the foregoing bill of complaint and that the matters alleged therein are true, except as to those allegations made on information and belief, and as to those, affiant verily believes the same to be true.

(signed) S. P. GAILLARD, JR.

Subscribed and sworn to before me this 5th day of October, 1933, as witness my hand and notarial seal.

(signed) FANNY KNIGHT GAILLARD
Notary Public, Mobile County, Ala.

CHANCERY EXECUTION

BILL OF COSTS

No. 264 Walter K. ... vs. ...

PLAINTIFF

DEFENDANT

FEES OF REGISTER	Dollars	Cents	Brought Forward	
Filing each bill and other papers	\$	10	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%.	4 50
Issuing each subpoena		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Issuing each copy thereof		40	Each notice sent by mail to creditor ...	15
Entering each return thereof		15	Filing receipting for and docketing each claim, etc.	25
For each order of publication	1	00	For all entries on subpoena docket, etc.	50
Issuing Writ of injunction	I	50	For all entries on commission docket, etc.	50
For each copy thereof		50	Making final record, per 100 words	15
Entering each return thereof		15	Certified copy of decree	1 00
Issuing Writ of Attachment	I	00	Report of divorce to State Health Office (Acts 1915)	50
Entering each return thereof		15	TOTAL FEES OF REGISTER..	
Docketing each case	1	00	FEES OF SHERIFF	
Entering each appearance		25	Serving and returning subpoena on deft. \$1 50	
Issuing each decree pro confesso on per ser. 1 00		00	Serving and returning subpoena for witness	65
Issuing each decree pro confesso on publica 1 00		00	Levyng attachment	3 00
Each order appointing guardian	I	00	Entering and returning same	25
Any other order by Register		50	Selling property attached	
Issuing Commission to take testimony		50	Impaneling Jury	75
Receiving and filing		10	Executing Writ of possession	2 50
Endorsing each package		10	Collecting execution for costs	1 50
Entering order submitting cause		50	Serving and returning sci. fa., each	65
Entering any other order of court		25	Serving and returning notice	65
Noting all testimony		50	Serving and returning writ of injunction 1 50	
Abstract of cause, etc.	I	00	Serving and returning writ of exeat.	1 50
Entering each decree		75	Taking and approving bonds, each	75
For every 100 words over 500		15	Collecting money on execution	
Taking account, etc.	3	00	Making Deed	2 50
Taking testimony, etc		15	Serving and returning application, etc. 1 00	
Each report, 500 words or less	2	50	Serving attachment, contempt of court. 1 50	
For every 100 words over 500		15	TOTAL FEES OF SHERIFF..	
Amount claimed less than \$500, etc	2	00	RECAPITULATION	
Issuing each subpoena		25	Register's Fees	
Witness certificate, each		25	Sheriff's Fees	8 00
Issuing execution, each		75	Commissioner's Fees	
Entering each return		15	Solicitor's Fees	
Taking and approving bond, each	1	00	Witness Fees	
Making copy of bill, etc		15	Guardian Ad Litem	
Each notice not otherwise provided for ..		50	Printer's Fees	
Each certificate or affidavit, with seal ..		50	Trial Tax	3 00
Each certificate or affidavit, no seal		25	Recording Decree in Probate Court	3 00
Hearing and passing on application, etc. 3 00		00	TOTAL	11 50
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		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				

The State of Alabama,
Baldwin County

No. _____
Circuit Court, In Equity _____ Term, 193 _____

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 _____ 193 _____
by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____
_____ Dollars,
costs o' suit, and have the same to render to the said _____
and make return of this Writ and the execution thereof, according to law.

Interest from _____ 193 _____ to date of collection.
Witness my hand, this _____ day of _____ 193 _____
_____ Register

1150
1090
550

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 C B MITCHELL J L TUCKER AND
R F MITCHELL, Jr Copartners Trading and doing business under
The firm name and style of MITCHELL NAVAL STORES CO.,
and J L TUCKER . Individually.

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
Baldwin Land Holding.Co a Corporation. and S P GAILLARD. Jr

against said C B MITCHELL J L TUCKER and R F MITCHELL JR Co-Partners
Trading and doing business under the firm ^{name} and style of
MITCHELL NAVAL STORES CO., and J L TUCKER. Individually.

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, Robert S. Duck, Register of said Circuit Court, this 6th day
of Oct 1936
Robert S. Duck Register

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

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 C. B. MITCHELL, J. I. TUCKER and H. F. MITCHELL, JR. Co-partners Trading and doing business under the firm name and style of MITCHELL NAVAL STORE CO. and J. I. TUCKER individually.

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 Baldwin Land Holding Co. Corporation, a S. S. WILLIAMS, JR.

against said C. B. MITCHELL, J. I. TUCKER and H. F. MITCHELL, JR. Co-partners Trading and doing business under the firm and style of MITCHELL NAVAL STORE CO., and J. I. TUCKER individually.

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, Robert S. Duck, Register of said Circuit Court, this 6th day of Oct 1936

Robert S. Duck Register

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The State of Alabama, }
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To Any Sheriff of the State of Alabama—GREETING:

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of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-
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Baldwin Land Holding Co a Corporation, and G F WILLIARD, Jr

against said G B MITCHELL J L TUCKER and R F MITCHELL JR Co-partners
Trading and doing business under the firm and style of
MITCHELL NAVAL STORES CO., and J L TUCKER. Individually.

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Circuit Court of Baldwin County, In Equity

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of Oct 1936



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BALDWIN LAND HOLDING COMPANY,
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S. P. GAILLARD, JR.,

Complainants,

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C. B. MITCHELL, J. L. TUCKER,
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MITCHELL NAVAL STORES CO., and
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Defendants.

IN THE CIRCUIT COURT
OF BALDWIN COUNTY,
ALABAMA, IN EQUITY.
IN THE TWENTY-FIRST
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THE STATE OF ALABAMA.

TO THE HONORABLE FRANCIS W. HARE, JUDGE OF SAID COURT, IN
EQUITY SITTING:

Come your complainants, Baldwin Land Holding Company, Inc., a corporation organized and existing under and by virtue of the laws of the State of Alabama, and S. P. Gaillard, Jr., who is over the age of twenty-one years and a resident of Mobile County, Alabama, and brings this their bill of complaint against C. B. Mitchell, J. L. Tucker, and R. F. Mitchell, Jr., co-partners trading and doing business under the firm, name and style of Mitchell Naval Stores Co., with its principal place of business in the town of Seminole, Baldwin County, Alabama, and J. L. Tucker, individually, who is a resident of the town of Seminole, Baldwin County, Alabama, and complainants respectfully show unto your Honor as follows:

1. Defendants are adult residents of the State of Alabama, County of Baldwin.

2. Complainants own and claim to own the following described real property in Baldwin County, Alabama, to-wit:

North Half of the Northwest Quarter of the Northwest Quarter of the Southwest Quarter, Section 6, Township 5 South, Range 5 East;

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North Half of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter, Section 17, Township 5 South, Range 5 East;

West Half of the Northwest Quarter of the Northeast Quarter, Section 23, Township 5 South, Range 5 East;

North Half of the Southwest Quarter of the Southeast Quarter of the Southeast Quarter, Section 29, Township 5 South, Range 5 East;

North Half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter, Section 29, Township 5 South, Range 5 East;

South Half of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter, Section 30, Township 5 South, Range 5 East.

3. Complainants allege that the defendants were negotiating with the complainants for the purchase of said property and requested the complainants to allow them sufficient time to investigate the title thereof, and that during such time so allowed the defendants for such investigation, the defendants were cutting timber from said property and turpentineing a part of it, all without the knowledge or consent of the complainants.

4. Complainants allege that the defendants are committing waste on said property by the cutting and removing of such timber and by the turpentineing of the trees thereon, and that in order to protect the interests

of the complainants, it is necessary that an injunction immediately issue against the defendants, directing said defendants to cease and desist from committing waste on said property of the complainants, and that it is necessary that the defendants be stopped by Court Order from turpentineing and cutting said trees.

5. Complainants allege that they have no adequate remedy at law.

6. Complainants allege that the defendants have damaged complainants to the extent of One Thousand (\$1,000.00) Dollars.

PRAYER FOR PROCESS

Complainants pray that your Honor will take jurisdiction of this cause; and that you will order the State's subpoena to issue directed to the defendants in this cause.

PRAYER FOR RELIEF

THE PREMISES CONSIDERED, your complainants pray that a temporary injunction be immediately issued by this Honorable Court requiring said defendants to cease and desist from the cutting of the timber from said property, and that at a final hearing of said cause, this Honorable Court will enter a permanent order restraining said defendants from cutting the timber from and turpentineing the trees on said property. Complainants further pray that the defendants be required to pay to the complainants the sum of One Thousand (\$1,000.00) Dollars for the unlawful cutting of the timber from and the unlawful use of the trees on said property, and complainants pray for such other, further and different relief as they may, in equity and justice, be entitled to in the premises.

(signed) GAILLARD & GAILLARD

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FOOT NOTE:

Defendants are required to answer each and every allegation contained in the foregoing bill of complaint from Paragraphs one to six, bith inclusive, but answer under oath is hereby expressly waived.

~~(signed) GAILLARD & GAILLARD~~
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STATE OF ALABAMA)

COUNTY OF MOBILE)

Personally appeared before me, Fanny Knight Gaillard, a Notary Public in and for said County and State, S. P. GAILLARD, JR., who, being by me first duly sworn, deposes and says that he has read over the foregoing bill of complaint and that the matters alleged therein are true, except as to those allegations made on information and belief, and as to those, affiant verily believes the same to be true.

(signed) S. P. GAILLARD, JR.

Subscribed and sworn to
before me this 5th day
of October, 1936, as
witness my hand and no-
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(signed) FANNY KNIGHT GAILLARD
Notary Public, Mobile County, Ala.

BALWIN LAND HOLDING COMPANY,
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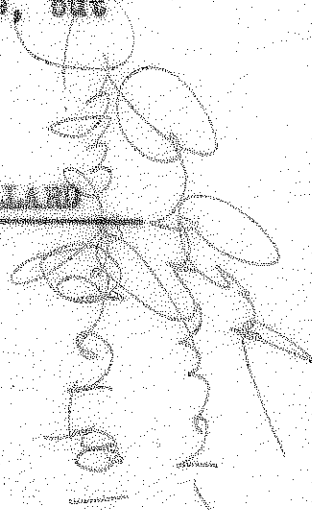
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Solicitors for Complainants.

FOOT NOTE:

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Personally appeared before me, Fanny Knight Gaillard, a Notary Public in and for said County and State, S. P. GAILLARD, JR., who, being by me first duly sworn, deposes and says that he has read over the foregoing bill of complaint and that the matters alleged therein are true, except as to those allegations made on information and belief, and as to those, affiant verily believes the same to be true.

(signed) S. P. GAILLARD, JR.

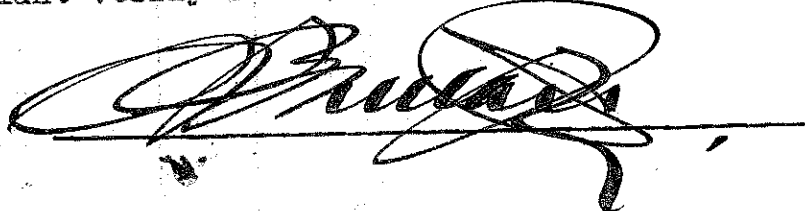
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(signed) FANNY KNIGHT GAILLARD
Notary Public, Mobile County, Ala.

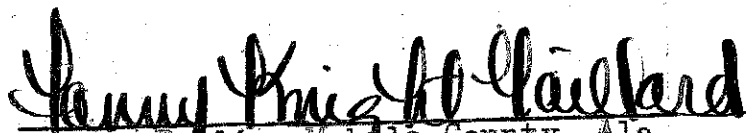
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Subscribed and sworn to
before me this 5th day
of October, 1935, as
witness my hand and no-
tarial seal.


Notary Public, Mobile County, Ala.

FOOT NOTE:

Defendants are required to answer each and every allegation contained in the foregoing bill of complaint from Paragraphs one to six, bith inclusive, but answer under oath is hereby expressly waived.


Solicitors for Complainants.

BALWIN LAND HOLDING COMPANY,
INC., a corporation, and
S. P. GAILLARD, JR.,

Complainants,

versus

C. B. MITCHELL, J. L. TUCKER,
and R. F. MITCHELL, JR., co-
partners trading and doing business
under the firm, name and style of
MITCHELL NAVAL STORES CO., and
J. L. TUCKER, Individually,

Defendants.

IN THE CIRCUIT COURT
OF BALDWIN COUNTY,
ALABAMA, IN EQUITY.
IN THE TWENTY-FIRST
JUDICIAL CIRCUIT OF
THE STATE OF ALABAMA.

TO THE HONORABLE FRANCIS W. HARE, JUDGE OF SAID COURT, IN
EQUITY SITTING:

Come your complainants, Baldwin Land Holding Company, Inc., a corporation organized and existing under and by virtue of the laws of the State of Alabama, and S. P. Gaillard, Jr., who is over the age of twenty-one years and a resident of Mobile County, Alabama, and brings this their bill of complaint against C. B. Mitchell, J. L. Tucker, and R. F. Mitchell, Jr., co-partners trading and doing business under the firm, name and style of Mitchell Naval Stores Co., with its principal place of business in the town of Seminole, Baldwin County, Alabama, and J. L. Tucker, individually, who is a resident of the town of Seminole, Baldwin County, Alabama, and complainants respectfully show unto your Honor as follows:

1. Defendants are adult residents of the State of Alabama, County of Baldwin.

2. Complainants own and claim to own the following described real property in Baldwin County, Alabama, to-wit:

of the complainants, it is necessary that an injunction immediately issue against the defendants, directing said defendants to cease and desist from committing waste on said property of the complainants, and that it is necessary that the defendants be stopped by Court Order from turpentine and cutting said trees.

5. Complainants allege that they have no adequate remedy at law.

6. Complainants allege that the defendants have damaged complainants to the extent of One Thousand (\$1,000.00) Dollars.

PRAYER FOR PROCESS

Complainants pray that your Honor will take jurisdiction of this cause; and that you will order the State's subpoena to issue directed to the defendants in this cause.

PRAYER FOR RELIEF

THE PREMISES CONSIDERED, your complainants pray that a temporary injunction be immediately issued by this Honorable Court requiring said defendants to cease and desist from the cutting of the timber from said property, and that at a final hearing of said cause, this Honorable Court will enter a permanent order restraining said defendants from cutting the timber from and turpentine the trees on said property. Complainants further pray that the defendants be required to pay to the complainants the sum of One Thousand (\$1,000.00) Dollars for the unlawful cutting of the timber from and the unlawful use of the trees on said property, and complainants pray for such other, further and different relief as they may, in equity and justice, be entitled to in the premises.

Paillard & Paillard
Solicitors for Complainants.