

ANNIE S. COOK.

Complainant,

VS.

JACOB STEWART and R. H. LONG,
Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY. NO 278.

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

We command you that without delay you execute this Writ and make your return thereon as provided by law showing how you have executed same.

Register of the Circuit Court.

TO JACOB STEWART AND R. H. LONG:

WHEREAS, Annie S. Cook did on the 20th day of November, 1936, file her Bill of Complaint in our said Circuit Court, Sitting in Equity, against Jacob Stewart and R. H. Long, praying, among other things, that a preliminary or temporary Writ of Injunction issue against Jacob Stewart and R. H. Long restraining them and each of them from changing the nature and character of the property described in the Bill of Complaint, namely: Southwest Quarter of the Southwest Quarter of Section Twenty-three, less five acres owned or formerly owned by John Styron, and the West Half of the Northwest Quarter of the Northwest Quarter of Section Twentysix, less three acres owned or formerly owned by Eli Steiner, all in Township Eight South Range Three East, in Baldwin County, Alabama, from cutting timber off of it, committing waste on it and from doing anything or taking any action which will disturb the status quo of the said property, either directly or indirectly; and

WHEREAS, on the said Bill's being exhibited to the Honorable F. W. Hare, Judge of the Circuit Court for the Twenty-first Judicial Circuit of Alabama, Sitting in Equity, on the 20th day of November, 1936, he did order that upon Complainant's entering into bond with surety in the sum of Three Hundred Dollars to be approved by the Register of this Court, conditioned and payable

and provided by 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:

enjoin you, and each of you, and all of you, from changing the nature and character of the said property described in the Bill of Complaint, namely: Southwest Quarter of the Southwest Quarter of Section Twenty-three, less five acres owned or formerly owned by John Styron, and the West Half of the Northwest Quarter of the Northwest Quarter of Section Twenty-six, less three acres owned or formerly owned by Eli Steiner, all in Township Eight South Range Three East, in Baldwin County, Alabama, from cutting timber off of it, committing waste on it and from doing anything or taking any action which will disturb the status quo of the said property, either directly or indirectly; until further orders of this Court, and this Writ of Injunction you will comply with and obey under penalty.

IN WITNESS WHEREOF, I have hereunto set my hand as Register and affixed the seal of the Circuit Court of Baldwin County, Alabama, on this the 23 day of November, 1936.

Perfect.

# CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY

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	and not exceeding \$40,000, 1 per ct, an		1	
Sub Total Carried Forward	over 20,000, 1-4 of 1 per cent.	Transming Delice in Frontie Commission		
Sub Total Carried Forward		TOTAL		150
	Sub Total Carried Forward	* O * 63.24 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	1	- Company
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#### INJUNCTION BOND.

STATE OF ALABAMA
BALDWIN COUNTY

Cook, as Principal, and Leng Styrm, So. Styrm and Land Parick Parial, as Sureties, are held and firmly bound unto Robert S. Duck, Register of the Circuit Court of Baldwin County, Alabama, and his successors in office, in the sum of Three Hundred Dollars, for the payment of which to the said Register, or his successors, we bind ourselves, our executors and administrators jointly and severally.

Sealed with our seals and dated this the 20th day of November, 1936.

WHEREAS, the said Annie S. Cook has filed a Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity, and has obtained thereon an order for the issuance of an injunction to restrain and enjoin Jacob Stewart and R. H. Long from changing the nature and character of the Southwest Quarter of the Southwest Quarter of Section Twenty-three, less five acres owned or formerly of the Northwest Quarter of Section Typon, and the West Half/of the Northwest Quarter of Section Twenty-six, less three acres owned or formerly owned by Eli Steiner, all in Township Eight South Range Three East in Baldwin County, Alabama; from cutting timber off of it, committing waste on it and from doing anything or taking any action which will disturb the status quo of the said property.

NOW THEREFORE, the condition of the above obligation is such that if the said Annie S. Cook, her heirs, executors, administrators or any of them, shall pay or cause to be paid all damages which any person may sustain by the suing out of the said injunction if the same is dissolved by the said Circuit Court in Equity on the Bill filed by the said Annie S. Cook as aforesaid, then this obligation to be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals on this the day and year first above written.

Omie Cook (SEAL)

Herry & Typer (SEAL)

Catrick Banard (SEAL)

Taken and approved on this the \_\_\_\_\_\_\_\_ day of November, 1936.

Register.

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

looks be then one each each of those

Your Oretrix, Annie S. Cook, presents this Bill of Complaint against Jacob Stewart and R. H. Long, and thereupon your Oratrix complains and shows unto the Court and your Honor as follows:

1. Your Oratrix is over twenty-one years of age and resides near Bon Secour, in Baldwin Sounty, Alabama. The respondents, Jacob Stewart and R. H. Long, are each over twenty-one years of age and each reside near Bon Secour, in Baldwin County, Alabama.

2. Your Oratrix owns and is entitled to immediate possession of the Southwest Quarter of the Southwest Quarter of Section Twenty-three, less five acres owned or formerly owned by John Styron, and the West Half of the Northwest Quarter of the Northwest Quarter of Section Twenty-six, less three acres owned or formerly owned by Eli'Steiner, ell in Township Eight South Range Three East in Baldwin County, Alabama, which said property is now in the wrong-ful possession of Jacob Stewart and R. H. Long.

3. On or about January 9, 1935, your Oratrix, Annie S. Cook, as Plaintiff, commenced an unlawful detainer suit against Jacob Stewart and R. H. Long, as Defendants, in the Justice Court of J. B. Huckabee, a Justice of Peace in and for Precinct Fourteen, Baldwin County, Alabama, who rendered a judgment in said cause on to-wit, January 16, 1935, in favor of the Plaintiff and against the Defendants, whereupon the Defendants appealed the said cause to the Law Side of the Circuit Court of Baldwin County, Alabama, where it is still pending, being case Number 122.

4. The said Jecob Stewart and/or R. H. Long are cutting timber, which is the property of your Oratrix, from the said property, thereby changing the character of it, all to the irreparable injury of your Oratrix.

## PRAYER FOR PROCESS.

Your Oratrix prays that the said Jacob Stewart and R. H. Long 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.

# PHAYER FOR RELIEF.

Your Oratrix moves and prays that case Number 122 on the Law Side of the Circuit Court of Baldwin County, Alabama, be transferred to the Equity Side of the said Court and consolidated with this suit; that a proper decree be made and entered adjudging and decreeing that your Oratrix is entitled to the possession of the said property, ordering that she be placed in possession thereof, and fixing the amount of damages which are due her for the damage to and the detention thereof. Your Oratrix further prays that pending a 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, restraining and enjoining the Respondents, Jacob Stewart and R. H. Long, from changing the nature and character of the said property, from cutting timber off of it, committing waste on it and from doing anything or taking any action which will disturb the status quo of the said property.

Your Oratrix further prays for such other, further and general relief as she may be equitably entitled to the premises considered.

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.

Solicitor for Complainant.

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

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Your Oratrix prays that the said Jacob Stewart and R. H. Long be made parties respondent to this Bill of Complaint

# CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY

No. 278

annie S. Cook, VS.

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PLAINTIFF

DEFENDANT

			F COSTS	<u> </u>	120
FEES OF REGISTER		Dollars Cent	Diouge Forward	\$ 6	20
iling each bill and other papers\$		60			
ssuing each subpoena	50	50	out or distributing money, etc.: 1st	ŀ	
ssuing each copy thereof	40	10	\$1,000, 1%, all over \$1,000, and not		
Intering each return thereof	15	15	over \$5,000, 3-4 of 1%; all over \$5,-		
or each order of publication 1	00	1 1	000 and not exceeding \$10,000, 1-2 of	1	
ssuing Writ of injunction or each copy thereof	50	100	1%, all over \$10,000 1-4 of 1%.		j
or each copy thereof		1 20	Receiving, keeping and paving out		
Intering each return thereof	15	13	money paid into court, etc., 1-2 of		
ssuing Writ of Attachment I			1% of amount received.		
intering each return thereof	15		i en la		ŀ
ocketing each case 1	00	100	Filing receipting for and dealecting and		
intering each appearance	25	2.6	claim, etc 25		
ssuing each decree pro confesso on per ser. 1			For all entries on subpoena docket, etc. 50		
ssuing each decree pro confesso on publica 1			For all entries on commission docket,		
ach order appointing guardian I			etc. 50		
any other order by Register	50		Making final record. per 100 words 15	1	000
ssuing Commission to take testimony	50		Certified copy of decree 100 words 1100	"	
Receiving and filing	10		Report of divorce to State Health Office 50		1
Endorsing each package	10	, seems	(Acts 1915)		
intering order submitting cause	<b>5</b> 0				
Intering any other order of court	25	35	TOTAL FEES OF REGISTER		. ]
loting all testimony	50			10	. 2
bstract of cause, etc.	00		FEES OF SHERIFE	12	Sec.
intering each decree	75	20		-2	,
or every 100 words over 500	15	10 2	Serving and returning subpoena on deft. \$1 50	-	2 Salar
aking account, etc. 3	00	\ \(\mathcal{G}\)	Serving and returning subpoena for		1
aking testimony, etc	15		witness65		-
Each report, 500 words or less 2	50		Levying attachment 1 50		
For every 100 words over 500	15		Entering and returning same 25		ĺ
amount claimed less than \$500, etc 2	00		Selling property attached	İ	
ssuing each subpoena	25		Impaneling Jury 75		
Vitness certificate, each	25		Executing Writ of possession 2 50	ļ	
ssuing execution, each	75		Collecting execution for costs 1 50	 	
Intering each return	15		Serving and returning sci. fa., each 65		
Taking and approving bond, each1	00		Serving and returning notice 65		an
Making copy of bill, etc	15		Serving and returning writ of injunction 1 50	-	
each notice not otherwise provided for	50		Serving and returning writ of exeat 1 50		1
Cach certificate or affidavit, with seal	50	-	Taking and approving bonds, each 75		
Cach certificate or affidavit, no seal	25		Collecting money on execution 2 50		
Iearing and passing on application, etc. 3					
each settlement with Receiver, etc 3	00		Serving and returning application, etc 1 00 Serving attachment, contempt of court 1 50		
xaming each voucher of Receiver, etc _	10		•		
	00		TOTAL FEES OF SHERIFF	-	
ecording resignation, etc	75		D D C A D T WIT T A W T O M	6	o coul
Intering each certificate to SupremeCourt	50		RECAPITULATION	- Radiation	
'aking questions and answers, etc	25		Register's Eees	12	1 2
for allother ser relating to such proceedings 1	. 00		Sheriff's Fees	1	
for services in proceeding to relieve min-			Commissioner's Fees	4	06
ors, etc., same fee as in similar cases.			Solicitor's Fees		
commission on sales, etc: 1st \$100, 2 per			Witness Fees	ŀ	
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\$1,000, 1 1-2 per cent; all over \$1,000,			Printer's Fees	A	
and not exceeding \$20,000, 1 per ct; all			Trial Tax 3 00	3	- 2
over 20,000, 1-4 of 1 per cent.			Recording Decree in Probate Court		
over 20,000, 1 i or 2 per cent.					_
			TOTAL	1	126
Sub Total Carried Forward					P"  P U

ANNIE S. COOK,

Complainant,

VS.

JACOB STEWART, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NUMBER 278.

And now come the Respondents and demur to the Complainant's Bill of Complaint in this cause and to cause thereof, separately and severally, and say:

# FIRST:

That there is no equity in the bill.

# SECOND:

That the Complainant has a full, complete and adequate remedy at law.

## THIRD:

That there are no facts alleged authorizing a consolidation of the said suit set out in the bill of complaint.

#### FOURTH:

That there are no facts set out which show or tend to show that an irreparable injury is being or has been committed by the Respondents, or either of them.

### FIFTH:

That the allegations that the Respondents, or either of them, are committing an irreparable injury to the Complainant is only the conclusion of the pleader and there are no facts set out to substantiate such statement.

Geeles Lacet Rube

Solicitors for the Respondents.

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# The State of Alabama, Baldwin County

Circuit Court of Baldwin County, In Equity

WE COM	MAND YOU, The	at you summon	JACOB	STEWART	and R.	_H_	LONG
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ns, and there	to answer, plead	or demur, withou	ion, within	thirty day	s after th	e serv	vice of
•	ANNIE S. COO	<u>K</u>	· · · · · · · · · · · · · · · · · · ·		<u>.</u>		
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endant shall ir	and perform what no wise omit, und thereon, to our sai	said Judge shall er penalty, etc. A	order and o	lirect in that ter command	behalf. A	And th	
WITNESS	, Robert S. Duck,	Register of said	Circuit Cou	ırt, this	23rd	L	
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NOVEMBER	193		21	10	1		
			Val 0	<u>vuc</u>	7		—— Reg

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

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

Your Oratrix, Annie S. Cook, presents this Bill of Complaint against Jacob Stewart and R. H. Long, and thereupon your Oratrix complains and shows unto the Court and your Honor as follows:

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Splicitor for Complainant.

S. 1 Stackburn

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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.

dlicitor for Complainant.

STATE OF ALABAMA BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared Annie S. Cook, who, after being by me first duly and legally sworn, deposes and says:

That she has read over the foregoing Bill of Complaint and that each and all of the allegations contained herein are true.

annie S Crok

Sworn to and subscribed before me on this the 20th day of November, 1936.

Ora Sirman

Notary Public, Baldwin County, Alabama.

TO THE HONORABLE ROBERT S. DUCK, REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

On Complainant entering into bond in the sum of \$3.0000, 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.

F. W. Stares

Judge.