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PAUL ERYARS,

VS.

Complainant,

BESSIE SEARCY and JOHN E. HEUBACK,

Respondents,

IN THE CIRCUIT COURT OF BAIDWIN COUNTY, ALABAMA, IN EQUITY. NO. 300.

DEMORRANS.

Comes the Respondent, end demurs to Complainant's Complaint, and as grounds therefor, says that there is no Equity in the Bill.

LOWIS A. THOMAS, Atty. for Respondent, Bessie Searcy.

201 Massey Bldg., Birmingham, Alabama.

1

PAUL BRYARS,

Complainant,

-VS-

BESSIE SEARCY AND JOHN E. HEUBACK,

Respondents.

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

TO THE HONORABLE FRANCIS W. HARE JUDGE:

Humbly complaining, your orator, Paul Bryars, as complainant brings this bill of complaint against Bessie Searcy and John E. Heuback, as respondents, and respectfully shows:

FIRST.

Complainant is a resident citizen of Mobile County, Alabama, and is over the age of twenty-one years; Each of the respondents is over the age of twenty-one years; The respondent John E. Heuback is a resident citizen of Mobile County, Alabama, and the respondent Bessie Searcy resides in Jefferson County, Alabama, and when last heard from her address was No. 2130 Sixth Avenue, Birmingham, Alabama and that is believed to be her present address.

SECOND.

Complainant and respondents own and are tenants in common in that certain land in Daldwin County, Alabama, described as:
The fractional Northeast Quarter, and the fractional Northeast Quarter of Southeast Quarter of Section 11,
Township 1 North of Range 2 East.

Complainant owns an undivided one-half interest in said land and the respondents own an undivided one-half interest in said land and it can not be equitably divided.

THE PREMISES CONSIDERED complainant prays that your Honor will take jurisdiction of the cause made by this bill of complaint and that by the proper process issuing to them from this Court the said Bessie Searcy and John E. Heuback be made parties defendant hereto and be required to answer the charges herein made in all things required by the rules and practice of this Court.

Complainant further prays that your Honor will upon hearing said cause, order, adjudge and decree that the said land can not be equitably divided but it be sold for division of the proceeds and that you will make all necessary and proper orders to affect said sale.

Complainant prays for such other, further and different relief as in equity and good conscience may be entitled to him in the premises.

SOLICITOR FOR COMPLAIMANT

NOTE: Respondents are required to answer each allegation in the paragraphs of the foregoing bill of complaint but oath thereto is hereby expressly waived.

BOLLOLADR FOR COMPLAINANT

PAUL BRYARS.

VS.

Complainant.

BESSIE SEARCY and JOHN E. HEUBACK,

Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. AN EQUITY. NO.300.

NOTICE OF FILING INTERROGATORIES.

STATE OF ALABAMA, BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE: OF ALABAMA:

You are hereby commanded to notify Bessie Searcy and John E. Heuback that on the 18th day of February, 1937, B. F. McMillan, in behalf of Complainant in a cause now pending in the Circuit Court of Alabama, wherein Paul Bryars is Complainant, and Bessie Searcy and John E. Heuback are Respondents, filed in the office of said Clerk of said Court certain interrogatories to be propounded to Bessie Searcy, who resides at No. 2130 Sixth Avenue, Birmingham, Alabama, Jefferson County, and John E. Heuback, who resides in the County of Mobile, State of Alabama, material witnesses for the Complainant. The answers thereto will be read as evidence by the said Complainant on the trial of said cause.

Witness my hand this 18th day of February,

1937.

Register in Chancery.

CHANCERY EXECUTION BILL OF COSTS

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The State of Alabama, Baldwin County

Circuit Court of Baldwin County, In Equity

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

PAUL BRYARS.

Complainant,

BESSIE SEARCY and JOHN E. HEUBACK,

Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY. NO. 300.

NOTICE OF FILING INTERROGATORIES.

STATE OF ALABAMA, BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to notify Bessie Searcy and John E. Heuback that on the 18th day of February, 1937, B. F. McMillan, in behalf of Complainant in a cause now pending in the Circuit Court of Alabama, wherein Paul Bryars is Complainant, and Bessie Searcy and John E. Heuback are Respondents, filed in the office of said Clerk of said Court certain interrogatories to be propounded to Bessie Searcy, who resides at No. 2130 Sixth Avenue, Birmingham, Alabama, Jefferson County, and John E. Heuback, who resides in the County of Mobile, State of Alabama, material witnesses for the Complainant. The answers thereto will be read as evidence by the said Complainant on the trial of said cause.

Witness my hand this 18th day of February, 1937.

Register in Chancery.

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The State of Alabama, Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama-GREETING:

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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-BESSIE SEARCY EDG of _____ 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 PAUL BRYANS BESSIE SPARCY and JOHN M. HIVEACK against said -

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.

18th WITNESS, Robert S. Duck, Register of said Circuit Court, this _ day Pebruary 193 7 --- Register

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

PAUL BRYARS,

Complainant,

wVS.

BESSIE SEARCY AND JOHN E. HEUBACK,

Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

IN EQUITY.

INTERROGATORIES PROPOUNDED BY COMPLAINANT TO THE RESPONDENTS AND EACH OF THEM UNDER SECTION 7764 ET SEQ OF THE CODE OF ALABAMA.

ONE.

Do you claim to own the land described in the bill of complaint? What interest in said land do you claim to own?

TWO.

Did you ever claim to own said land and if so, what interest in said land did you claim to own? Did you ever sell your interest in said land and if so, to state to whom and when and for how much?

THREE.

If you say that you claim or ever claimed any interest in said land state from whom you purchased it and state where your Deed to said land is recorded.

SOLICITOR FOR COMPLAINANT.

STATE OF ALABAMA COUNTY OF MOBILE :

Mary L. Wagner

Before me, John-N.-Allen, a Notary Public in and for said state and county personally appeared B. F. McMillan, Jr. who is known to me and who being sworn says:

Affiant is Solicitor for complainant in the foregoing cause and as such Solicitor has propounded the foregoing interrogatories to the defendants in the foregoing cause and that the answers thereto will be material testimony for complainant in said cause.

B. & Wemelanda

Subscribed and sworn to before me on this the 17th day of February, 1937.

Notary Public, Mobile County, Alabama.

CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY

NON Paul Byar

Vs. Beauliery at PL

DEFENDANT

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PAUL BRYARS,

Complainant,

VS.

BESSIE SEARCY and JOHN E. HEUBACH,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 300.

Comes the defendant, John E. Heubach, and demurs to complainant's complaint, and as grounds therefor says, that there is no equity in the bill.

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No	Circuit Court, Baldwin County, A In Equity.	
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COST BILL

VS.

Register.

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Filed March 11, 1937

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AUL BRYARS

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BESSIE SEARCY and JOHN E. HEUBACK, Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

Filed on this the 18th day of February, 1937.

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NOTICE OF FILING INTERROGATORIES.

PAUL BRYARS,

VS.

BESSIE SEARCY and YOUN E. HEUBACK,

Complainant,

Respondents.

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

NO. 300.

Issued on the 18th day of February, 1937.

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Circuit Court of Baldwin County
IN EQUITY

No. 300

No. 300

SUMMONS

PAUL BEYARS,

Cômplainant,

vs.

BESSIE SEARCY and JOHN E.

HEUBACK,

Respondents.

B. F. McMILIAN, JR.

Solicitor for Complainant

Recorded in Vol. Page

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STATE OF ALABAM	Ī
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No. 300

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The State of Alabama, Baldwin County.

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The State of Alabama,	2
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Deputy Sheriff

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NOTICE OF FILING INTERROGATORIES.

PAUL BRYARS,

Complainant,

VS.

BESSIE SEARCY and JOHN E. HEUBACK, Respondents.

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TENT H MATTER SMAKE John County, Ales

BAIDWIN COUNTY; ALABAMA.

NO. 300. IN EQUITY.

IN THE CIRCUIT COURT OF

Issued on the 18th day of February, 1937.

BILL OF COMPLAINT. 7-37

PAUL BRYARS,

Complainant,

BESSIE SEARCY and JOHN E. HEUBACK,

Respondents.

IN THE CIRCUIT COURT OF

EALDWIN COUNTY, ALABAMA.

NO. 300. IN EQUITY.

Filed on this the 18th day of February, 1937.

Filed May 211935 R. S. Deck Mysotar

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