

The State of Alabama, Baldwin County.

Circuit Court, In Equity.

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

We command you that without delay you execute this Writ, and due return thereof how you have executed the same make to us immediately. To Miss Clara J. Hall and Leslie Hall WHERMAS, Hubert M. Hall WHERMAS, Hubert M. Hall WHERMAS, Hubert M. Hall WHERMAS, Hubert M. Hall Leslie Hall Deplie Hall Leslie Hall Deplie Hall Dep	1. A. C.	į		
WHEREAS, Hubert N. Hall WHEREAS, Hubert N. Hall WHEREAS, Hubert N. Hall by S. this day filed a Bill of Complaint in said Court against Miss Clara J. Hall and Leslie Hall praying, among other things, that Miss Clara J. Hall and Leslie Hall, or either of them, be restrained and enjoined from either directly or indirectly foreclosing or attempt ing to foreclose that certain mortgage from Hubert M. Hall to Miss Clara J. Hall, dated July 2nd, 1935, and of record in Mortgage Book 67, at page 481, in the office of the Probate Judge of Beldwin County, Alabama, or in any manner changing the statu quo of the property described in said mortgage, to-wit: Lots 2 and 3 in Nihart & Stapleton Subdivision of a part of Block 105, Hand Land Company's Addition to the Town of Bay Minette, as per plat of record in the Office of the Probate Judge of Baldwin County, Alabama, in Nap Book 1, page 118. And whereas, on said Bill of Complaint being exhibited to the Hon. F. N. Have Judge of the Circuit Court of Baldwin County, of the State of Alabama, on the 13th day of April Dellar, payable to the Defendant and approved by the Clerk of this Court, and conditioned according to law a Writ of Injunction issue out of said Court, according to the prayer of said Bill; and whereas, bond has been given, as required by said order. These, therefore, are to command and strictly enjoin you from cither directly, or incideretly foreclosing or attempting to foreclose that certain mortgage from Hubert M. Hall to Miss Clara J. Hell, dated July 2nd, 1935, and of record in Mortgage Book 67, at page 481, in the office of the Probate Judge of Baldwin County, Alabama, or in any manner changing the status quo of the property described in said mortgage, to-wit: Lots 2 and 3 in Nihart & Stapleton Sub- division of a part of Block 105, Hand Land Company's Addition to the Town of Bay Minette, as per plat of record in the office of the Probate Judge of Baldwin	We command you th	iat without delay you execut	te this Writ, and due return thereof ho	w you
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Leslie Hall Draying, among other things, that Miss Clara J. Hall and Leslie Hall, or either of them, be restrained and enjoined from either directly or indirectly foreclosing or attempt ing to foreclose that certain mortgage from Hubert M. Hall to Miss Clara J. Hall, dated July 2nd, 1935, and of record in Mortgage Book 67, at page 461, in the office of the Probate Judge of Baldwin County, Alabama, or in any manner changing the statu quo of the property described in said mortgage, to-wit: Lots 2 and 3 in Nihart & Stapleton Subdivision of a part of Block 105, Hand Land Company's Addition to the Town of Bay Minette, as per plat of record in the Office of the Probate Judge of Baldwin County, Alabama, in Map Book 1, page 118. And whereas, on said Bill of Complaint being exhibited to the Hon. F. W. Hare Judge of the Circuit Court of Baldwin County, of the State of Alabama, on the 13th day of April County of the State of Alabama, on the 13th day of April Dollars, payable to the Defendant and approved by the Clerk of this Court, and conditioned according to law a Writ of Injunction issue out of said Court, according to the prayer of said Bill; and whereas, bond has been given, as required by said order. These, therefore, are to command and strictly enjoin you from cither directly, or incdirectly foreclosing or attempting to foreclose that certain mortgage from Hubert M. Hall to Miss Clara J. Hall, dated July 2nd, 1935, and of record in Mortgage Book 67, at page 481, in the office of the Probate Judge of Baldwin County, Alabama, or in any manner changing the status quo of the property described in said mortgage, to-wit: Lots 2 and 3 in Nihart & Stapleton Suddivision of a part of Blook 105, Hand Land Company's Addition to the Town of Bay Minette, as per plat of record in the office of the Probate Judge of Baldwin County, Alabama, or in any manner changing the record in the office of the Probate Judge of Baldwin County of Park Minette, as per plat of record in the office of the Probate Judge of Baldwin County of Park		• • • • • • • • • • • • • • • • • • • •	*************************	
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Hand Land Company's Addition to the Town of Bay Minette, as per plat of record in the Office of the Probate Judge of Baldwin County, Alabama, in Map Book 1, page 118. And whereas, on said Bill of Complaint being exhibited to the Hon. F. W. Hare Judge of the Circuit Court of Baldwin County, of the State of Alabama, on the 13th day of April 1923, he did order that, upon complainant entering into bond, with sureties, in the sum of Two Hundred Dollars, payable to the Defendant and approved by the Clerk of this Court, and conditioned according to law a Writ of Injunction issue out of said Court, according to the prayer of said Bill; and whereas, bond has been given, as required by said order. These, therefore, are to command and strictly enjoin you from cither directly or inc. directly foreclosing or attempting to foreclose that certain mortgage from Hubert M. Hall to Miss Clara J. Hall, dated July 2nd, 1935, and of record in Mortgage Book 67, at page 481, in the office of the Probate Judge of Baldwin County, Alabama, or in any manner changing the status quo of the property described in said mortgage, to-wit: Lots 2 and 3 in Nihart & Stapleton Subdivision of a part of Block 105, Hand Land Company's Addition to the Town of Bay Minette, as per plat of record in the office of the Probate Judge of Bald-	ing to foreclose that dated July 2nd, 1935, of the Probate Judge o	certain mortgage from and of record in Mortgif Baldwin County, Alab	Hubert M. Hall to Miss Clara J. age Book 67, at page 481, in the ama, or in any manner changing	Hall, e office
And whereas, on said Bill of Complaint being exhibited to the Hon. F. W. Hare Judge of the Circuit Court of Baldwin County, of the State of Alabama, on the 15th day of April 19237., he did order that, upon complainant entering into bond, with sureties, in the sum of Two Hundred Dollars, payable to the Defendant and approved by the Clerk of this Court, and conditioned according to law a Writ of Injunction issue out of said Court, according to the prayer of said Bill; and whereas, bond has been given, as required by said order. These, therefore, are to command and strictly enjoin you from either directly or inter- directly foreclosing or attempting to foreclose that certain mortgage from Hubert M. Hall to Miss Clara J. Hall, dated July 2nd, 1935, and of record in Mortgage Book 67, at page 481, in the office of the Probate Judge of Baldwin County, Alabama, or in any manner changing the status quo of the property described in said mortgage, to-wit: Lots 2 and 3 in Nihart & Stapleton Sub- division of a part of Block 105, Hand Land Company's Addition to the Town of Bay Minette, as per plat of record in the office of the Probate Judge of Bald-				
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until futher order of this Court. And this you will in nowise omit, under penalty.	until futher order of this (Court. And this you will in :	nowise omit, under penalty.	
Register WITNESS R.S. DUCK as Wienk of said Court, at office, in	WITNESS R.S.	_Duck	Register as Winds of said Court, at off	ice, in
Bay Minette Alabama, this day of April 19687		ZZZATADAMA, UHS. ZbC)	<i>च∆</i> <.1

The State of Alabama, Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff	of the	State o	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.

HUBERT M. HALL, Complainant,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA

MISS CLARA J. HALL and

LESLIE HALL,

Respondents.

IN EQUITY

Now come the respondents, each separately and severally, and for answer to the bill of complaint as filed in said cause say:

That each and every material allegation in said bill of complaint is true, except as contained in paragraph Five thereof, and which each respondent denies, and alleges that the indebtedness secured by said mortgage has never been paid, is not paid as yet, but that it is due and is a subsisting valid lien upon the property described in the said bill of complaint; and that the respondents, each separately and severally, demand a strict proof as to the allegations of said paragraph Five.

Wherefore, the respondents, each separately and severally, having answered the bill of complaint as filed in said cause, pray that your Honor will enter an order dismissing said bill of complaint and tax the complainant with the cost thereof.

Respectfully submitted,

SOLICITORS FOR RESPONDENT

STATE OF ALABAMA,)
BALDWIN COUNTY.)

KNOW ALL MEN BY THESE PRESENTS, That We, HUBERT M. HALL, as Principal, and the undersigned as Sureties, are held and firmly bound unto Miss Clara J. Hall and Leslie Hall, in the sum of TWO HUNDRED (\$200.00) DOLLARS, for the payment of which to the said Miss Clara J. Hall and Leslie Hall, we bind ourselves, our heirs and administrators, jointly and severally.

Sealed with our seals and dated the 15th day of April, 1937.

WHEREAS, the said Hubert M. Hall has filed his Bill of Complaint, in the said Circuit Court, in Equity, and has obtained thereon an order for the issuance of an injunction from the Honorable F. W. Hare, Judge, to restrain and enjoin Miss Clara J. Hall and Leslie Hall, or either of them, from either directly or indirectly foreclosing or attempting to foreclose that certain mortgage from the Complainant to the Respondent, Miss Clara J. Hall, dated July 2nd, 1935, and of record in Mortgage Book 67, at page 481, or in any manner changing the status quo of the property described in said mortgage, to-wit:

Lots two (2) and three (3) in Nihart & Stapleton Subdivision of a part of Block 105, Hand Land Company's Addition to the Town of Bay Minette, as per plat of record in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 118.

NOW, THEREFORE, the condition of the above obligation is such that if the said Hubert M. Hall, his 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 said injunction, if the same is dissolved by the Circuit Court, in Equity, on the bill filed by the said Hubert M. Hall as aforesaid, then the above obligation to be void, otherwise to remain in full force and affect.

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

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Taken and approved on this 16 day of April, 1937.

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Register.

HUBERT M. HALL,

Complainant,

VS.

MISS CLARA J. HALL and
LESLIE HALL,

Respondents.

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

Comes the Complainant, HUBERT M. HALL, and humbly complaining against the Respondents, MISS CLARA J. HALL and LESLIE HALL, and each of them, respectfully represents and shows unto your Honor and this Honorable Court as follows:

- 1. That your Complainant and the Respondents are over twenty-one years of age, and residents of Baldwin County, Alabama.
- 2. That your Complainant is the owner and in possession of the following described real property situated in Bay Minette, Baldwin County, Alabama, described as follows, to-wit:

Lots Two (2) and Three (3) in Nihart & Stapleton Subdivision of a part of Block 105, Hand Land Company's Addition to the Town of Bay Minette, as per plat of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 118.

- 3. That on to-wit, July 2nd, 1935, the Complainant executed to the Respondent, Miss Clara J. Hall, a mortgage on the lands described in paragraph 2 hereof, to secure an indebtedness therein recited, which said mortgage is of record in the office of the Probate Judge of Baldwin County, Alabama, in Mortgage Book 67, at page 481.
- 4. That the Respondent, Miss Clara J. Hall, as Mortgagee, and the Respondent, Leslie Hall, as Attorney for the Mortgagee, have given notice of the foreclosure of the said mortgage described in paragraph 3; that a copy of said notice is hereto attached, marked Exhibit "A" and asked to be considered as a part hereof as though herein fully set out.
- 5. That the entire indebtedness secured by the said mortgage hereinabove described has been paid in full, and was paid in full, before the notice
 of foreclosure was given, and that cancellation of the said mortgage should be
 entered of record; that the said mortgage constitutes a cloud upon the Complainant's title; that the foreclosure of the said mortgage and the execution and

recording of a foreclosure deed would constitute a further cloud on the title to Complainant's said property.

6. That the Complainant submits himself to the jurisdiction of the Court and agrees to abide by any orders or decrees rendered.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said Miss Clara J. Hall and Leslie Hall party respondents to this Bill of Complaint, requiring them to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court; that your Honor will immediately issue a temporary injunction restraining the said Miss Clara J. Hall and Leslie Hall, or either of them, from either directly or indirectly foreclosing or attempting to foreclose, or in any manner changing the status quo of the said property herein described.

Complainant further prays that upon a final hearing of this cause, your Honor will enter an order and decree that the indebtedness secured by said mortgage has been paid in full and requiring the Respondent, Miss Clara J. Hall, to enter satisfaction of, and cancel, the said mortgage on the margin of the record in the office of the Probate Judge of Baldwin County, Alabama, and that upon her failure or refusal to cancel the same within the time this Court shall require them, that the Register of this Court be authorized and empowered to enter proper satisfaction and cancellation of said mortgage. Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

Solicitors for the Complainant.

FOOT NOTE:

The Respondents, MISS CLARA J. HALL and LESLIE HALL, and each of them, are required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 6, inclusive, but not under oath, oath being hereby expressly waived.

Booked Solicitors for the Complainant.

STATE OF ALABAMA,
BALDWIN COUNTY.

Before me, O'Byrne Jones, a Notary Public, in and for said County, in said State, personally appeared HUBERT M. HALL, who is known to me and who having been by me first duly sworn, deposes and says, that he is the Complainant in the foregoing cause, styled HUBERT M. HALL, Complainant, vs. MISS CLARA J. HALL and LESLIE HALL, Respondents, in the Circuit Court of Baldwin County, Alabama, in Equity; that he has read over and understands the allegations contained in said Bill of Complaint; that the said allegations are true.

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Sworn to and subscribed before me this 8th day of April, 1937.

Notary Aublic, Endwin County, Ala.

EXHIBIT "A"

NOTICE OF MORTGAGE FORECLO SURE

Default's having been made in the payment of the principal and interest and in compliance with the terms of that certain Mortgage executed to the undersigned, Miss Clara J. Hall, by Hubert M. Hall, unmarried, on the 2nd day of July, 1935, which said Mortgage is recorded in the office of Probate Judge of Baldwin County, Alabama, in Mortgage Book No. 67, at page 481, and the said default's continuing, I, the undersigned, Miss Clara J. Hall, will, under and by virtue of the Power of Sale contained in said Mortgage, sell at public outcry to the highest bidder, for cash, in front of the Courthouse door of said County, between the legal hours of sale, on Monday, April 19, 1937, the following described property situated in Baldwin County, Alabama, to-wit:

Lots two (2) and three (3) in Nihart & Stapleton Subdivision of a part of Block 105, Hand Land Company's Addition to the Town of Bay Minette, as per plat of record in the office of the Judge of Probate of Baldwin County, Alabama, in Map Book 1, page 118.

Said sale is to be made for the purpose of discharging the indebtedness secured by said Mortgage, and the interest thereon, together with the costs
of foreclosure, including a reasonable attorney's fee, as stipulated in said
Mortgage.

MISS CLARA J. HALL, Mortgagee.

LESLIE HALL, Attorney for the Mortgagee.

TO THE REGISTER OF THE CIRCUIT COURT, IN EQUITY, AT BAY MINETTE, BALDWIN COUNTY, ALABAMA:

Upon the Complainant er	tering into bond with security in the sum Dollars, payable to and approved by you,
of \$20000	Dollars, payable to and approved by you,
	let an injunction issue according to the
prayer of the bill. This	africe 13, 1937_
	MHare
	Judge.

HUBERT M. HALL, Complainant

and LESLIE HALL, Respondents.

PROTEIN THE

CIRCUIT COURT

BALDWIN COUNTY

Filed in Office this 29 54 day of April, 1937.

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.

WIT	NESS, Rob	ert S. Duck	, Register	of said Circ	uit Court,	this	<u> 16th</u>	day
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BILL OF COMPLAINT AND ORDER FOR INJUNCTION:

HUBERT M. HALL,

Complainant,

VS.

MISS CLARA J. HALL and LESLIE HALL,

Respondents.

BALDWIN COUNTY, ALABAMA, IN THE CIRCUIT COURT OF

IN EQUITY.

filed april 13, 1937. P. B. Buek Regetter