

308

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

~~EMMA POPLIN WRIGHT,~~  
EMMA POPLIN WRIGHT,

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

JOHN BESTOR ROBERTSON,

against said

EMMA POPLIN WRIGHT,

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 22nd day of December 1937

*Robert S. Duck*

Register

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

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,

ALABAMA, SITTING IN EQUITY.

Comes your Complainant John Bestor Robertson who is over the age of 21 years and a resident of Mobile County, Alabama, and exhibits this his bill of complaint against Emma Poplin Wright who is also over the age of 21 years and is at present residing at Fairhope, Baldwin County, Alabama. Complainant respectfully shows unto the court as follows:-

1.

That he is the lawful owner of the following tract of land situate in Baldwin County, Alabama, viz:

Lots 10, 11, 12, 13, 15 and 16, Sea Cliff Sub-division in Section 8 Township 6 South, Range 2 West, according to the map thereof recorded in the Probate Court of Baldwin County, Alabama.

2.

That on December 23rd, 1935, Honorable H. M. Wilkins, as Sheriff of Baldwin County, executed to the respondent herein a sheriff's deed conveying all of complainant's interest in said property to the respondent to satisfy a judgment obtained in the Circuit Court of Baldwin County. Said deed is recorded in Deed Book 58 page 458 Probate Records of Baldwin County, Alabama.

3.

That the complainant has offered to redeem said property from said sheriff's deed but that respondent herein has refused to permit such redemption.

4.

Complainant is ready, able and willing to redeem said property as soon as he is informed of the correct amount of the redemption and hereby offers to pay into Court whatever sum may be ascertained by the Court to be due the respondent in order to redeem said property.

PRAYER FOR PROCESS


The premises considered the complainant prays the Court to take jurisdiction of this cause and have its process issue to the respondent commanding her to plead, answer or demur to this bill of complaint within the time required by law.

PRAYER FOR RELIEF

And Complainant further prays unto the Court that upon a final hearing of this cause the Court will ascertain and determine the amount of money necessary to redeem said property from said sheriff's deed and will order the respondent to reconvey said property unto the Complainant upon the payment into Court of such sum as may be ascertained to be due. Complainant prays for all such other, further and different relief as he may be in equity entitled to receive the premises considered.

  
Solicitor for Complainant.

Foot Note: The respondent is required to answer each and every allegation of the foregoing bill of complaint from paragraphs one to four inclusive but not under oath, answer under oath being, hereby expressly waived.

  
Solicitor for Complainant.

JOHN BESTOR ROBERTSON,  
Complainant,  
VS.  
EMMA POPLIN WRIGHT,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NUMBER 388.


DECREE.

This cause coming on to be heard on this the 21st day of August, 1940, being the day set by the rules of this Court for calling the Equity Docket thereof, and it appearing to the Court that the said suit was filed on December 22, 1937, and no further action having been taken by the Complainant thereon up to this date, and the Complainant and his solicitor of record being absent at the calling of the said docket, IT IS THEREFORE Ordered, Adjudged and Decreed by the Court as follows:

1. That this said cause be and the same is hereby dismissed for the want of prosecution.

2. That Complainant be and he is hereby taxed with the costs of this proceeding for which execution may issue.

Done in open court at Bay Minette, Alabama, on this the 21st day of August, 1940.

  
\_\_\_\_\_  
Judge.

# CHANCERY EXECUTION

## BILL OF COSTS

No. 388

*John Bator Robertson,*  
Complainant

Vs.

*Emma Poplin Wright*  
Respondent

Plaintiff

Defendant

FEES OF REGISTER	Dollars	Cents	Brought Forward .....	\$ 3 90
Filing each bill and other papers .....		20	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%.	
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 .....	1	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 .....	1	00	Report of divorce to State Health Office (Acts 1915) .....	50
Entering each return thereof .....		15	Total Fees of Register .....	4 90
Docketing each case .....	1	00	FEES OF SHERIFF <i>Within</i>	
Entering each appearance .....		25	Serving and returning subpoena on deft. \$1	50
Issuing each decree pro confesso on per. ser.	1	00	Serving and returning subpoena for witness .....	65
Issuing each decree pro confesso on publica.	1	00	Levyng attachment .....	3 00
Each order appointing guardian .....	1	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. ....	1	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 .....	3 00
Amount claimed less than \$500, etc. ....	2	00	RECAPITULATION	
Issuing each subpoena .....		25	Register's Fees .....	4 90
Witness certificate, each .....		25	Sheriff's Fees .....	3 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 ..	
Hearing and passing on application, etc.	3	00	Total .....	10 90
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 ct.; all over \$100 and not exceeding \$1,000, 1 1-2 per ct; all over \$1,000, and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct.				
Sub Total Carried Forward .....	3	90		

The State of Alabama, { No. 388  
 Baldwin County. Circuit Court, In Equity Fall Term, 1940

To Any Sheriff of the State of Alabama—GREETING:  
 You are hereby commanded, That of the goods and chattels, lands and tenements of

*John Bator Robertson* Defendant

you cause to be made the sum of \_\_\_\_\_ Dollars,  
 which *Dismissed for Want of Prosecution* Plaintiff

recovered of \_\_\_\_\_ on the *21* day of *August* 19*40*

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of *\$10.90* Dollars,

costs of 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 *21* day of *October* 19*40*

*R.S. Duch*, Register.

original

*paid*

RECORDED  
7-365

*Doc*

Serve on \_\_\_\_\_

Circuit Court of Baldwin County  
IN EQUITY

No. 388

SUMMONS

JOHN BERTOR ROBERTSON,  
Complainant,

vs.

EMMA FOPLIN WEIGHT,  
Respondent,

THE STATE OF ALABAMA,

BALDWIN COUNTY

Received in office this \_\_\_\_\_

day of \_\_\_\_\_, 193

SHERIFF

Executed this 16<sup>th</sup> day of

July 1938

by leaving a copy of the within Summons with

*Emma Poplin Weight*  
Defendant

*W. H. Williams*  
Sheriff

*John P. Davis*  
Deputy Sheriff

GEORGE A. SOSSAMAN,  
Solicitor for Complainant

Recorded in Vol. \_\_\_\_\_ Page 2

**RECORDED**

DECREE.

JOHN BESTOR ROBERTSON,

Complainant,

VS.

EMMA POPLIN WRIGHT,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NUMBER 388.

*Filed August 31, 1940  
R. S. Dink, Register*

593

No. 388

The State of Alabama,  
Baldwin County.

Circuit Court, In Equity.

*John R. R. R. R.*

*Complainant*

vs.

*Anna R. R. R. R.*

*Respondent*

CHANCERY EXECUTION  
Fi. Fa.

\$ 10.90

Total \$

Fee Book Page

Execution Docket Page

*George A. Sweeney*

Complainant's Solicitor.

Received in Sheriff's Office

this 21 day of Oct., 1940

W. R. STUART, Sheriff

The State of Alabama,  
Baldwin County.

ha..... duly waived..... right  
to the exemption of personal property as to  
the collection of the debt for which this execu-  
tion is issued.

Register.

Received in office this .....

day of..... 193 .....

Sheriff

Execution Docket..... Page.....

*Returned this 21st day  
of December 1940 no property  
of the household found in  
Baldwin County  
W. R. Stuart Sheriff  
By M. B. Hamilton 1940*

MOORE PRINTING CO., BAY MINNETT, ALA.

The State of Alabama, }  
Baldwin County.

By virtue of the within execution I have levied.....

Multiple horizontal lines for recording details of the execution.