

NOTICE

J. L. HARRIS, et al,
Complainants

vs

GARNEY MILL COMPANY, a Corp.,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY
No. 474

Comes now Shelton Harris by his attorney, Orvis M. Brown, and moves the Court to make him the party Complainant in lieu of the said James L. Harris. And he further shows to this Honorable Court that he is a son of James A. Harris, Sr., and the said James A. Harris, Sr., is now dead and has been deceased for about ten or twelve years; and he further shows that he is one of the only direct heirs of the said James A. Harris, Sr. and is heir to the respective interest of his said father in the above styled suit.

Your orator is over the age of twenty-one years and is a resident of Moss Point, Mississippi.

Your petitioner prays that upon the hearing of this motion he will be made the party complainant in the above styled cause in lieu of the said James A. Harris, Sr., deceased.


ORVIS M. BROWN.

Solicitor for Intervenor.

CHANCERY EXECUTION

BILL OF COSTS

J. H. Harris, Agnes Toulmin, Mary Dolive, Jamesa Harris
Alice Motz, Francis Hayes Jr
 Vs.

No. *16007*

474

Plaintiff

Carney Mill Company, a Corporation Defendant

FEES OF REGISTER

Dollars Cents

Filing each bill and other papers	\$ 10
Issuing each subpoena	50
Issuing each copy thereof	40
Entering each return thereof	15
For each order of publication	1 00
Issuing writ of injunction	1 50
For each copy thereof	50
Entering each return thereof	15
Issuing Writ of Attachment	1 00
Entering each return thereof	15
Docketing each case	1 00
Entering each appearance	25
Issuing each decree pro confesso on per. ser.	1 00
Issuing each decree pro confesso on publica.	1 00
Each order appointing guardian	1 00
Any other order by Register	50
Issuing commission to take testimony	50
Receiving and filing	10
Endorsing each package	10
Entering order submitting cause	50
Entering any other order of court	25
Noting all testimony	50
Abstract of cause, etc.	1 00
Entering each decree	75
For every 100 words over 500	15
Taking account, etc.	3 00
Taking testimony, etc.	15
Each report, 500 words or less	2 50
For every 100 words over 500	15
Amount claimed less than \$500, etc.	2 00
Issuing each subpoena	25
Witness certificate, each	25
Issuing execution, each	75
Entering each return	15
Taking and approving bond, each	1 00
Making copy of bill, etc.	15
Each notice not otherwise provided for	50
Each certificate or affidavit, with seal	50
Each certificate or affidavit, no seal	25
Hearing and passing on application, etc.	3 00
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.	

60
50
40
100
50
500
75
15

Brought Forward	\$ 8 90
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%.	
Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Each notice sent by mail to creditor	15
Filing, receipting for and docketing each claim, etc.	25
For all entries on subpoena docket, etc.	50
For all entries on commission docket, etc.	50
Making final record, per 100 words	15
Certified copy of decree	1 00
Report of divorce to State Health Office (Acts 1915)	50

Total Fees of Register

FEES OF SHERIFF

Serving and returning subpoena on deft.	\$1 50
Serving and returning subpoena for witness	65
Levying attachment	3 00
Entering and returning same	25
Selling property attached	
Impanelling Jury	75
Executing writ of possession	2 50
Collecting execution for costs	1 50
Serving and returning sci. fa., each	65
Serving and returning notice	65
Serving and returning writ of injunction	1 50
Serving and returning writ of exeat	1 50
Taking and approving bonds, each	75
Collecting money on execution	
Making deed	2 50
Serving and returning application, etc.	1 00
Serving attachment, contempt of court	1 50

Total Fees of Sheriff

RECAPITULATION

Register's Fees	12 45
Sheriff's Fees	3 25
Commissioner's Fees	
Solicitor's Fees	
Witness Fees	
Guardian Ad Litem	
Printer's Fees	
Trial Tax	3 00
Recording Decree in Probate Court	

Total

Sub Total Carried Forward \$ 90

The State of Alabama, Baldwin County, 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 _____ Dollars,

you cause to be made the sum of _____ Plaintiff _____ Dollars,

which _____ 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 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 _____ day of _____ 193

Register.

Richman 10 28
Stone
Ruck

30
7.00
1.15
3.45
1245
395
850

STATE OF ALABAMA, *
*
COUNTY OF BALDWIN. *
*

IN THE CIRCUIT COURT OF SAID COUNTY
IN EQUITY.

TO THE HONORABLE JOHN D. LEIGH, JUDGE:

Humbly complaining your orators and oratrices, J. L. Harris, Agnes Toulmin, Mary Dolive, James A. Harris, Alice Motz, Francis Hays, Jr., bring this bill of complaint against the Carney Mill Company, a corporation, and respectfully show:

First

The complainants are each over the age of twenty-one years and their residences are as follows: Complainants J. L. Harris and Agnes Toulmin reside in Mobile County, Alabama; Complainant Mary Dolive resides at Orlando, Florida; Complainant James A. Harris resides at Moss Point, Mississippi; and Complainants Alice Motz and Francis Hays, Jr., reside at Beaumont, Texas.

Respondent is a corporation organized under the laws of the State of Alabama, and is engaged in business in Alabama, having its principal place of business at Atmore, in Escambia County, Alabama.

Second

Complainants and respondent are tenants in common in, and are in possession of, certain land in Baldwin County, Alabama, described as follows: Section thirty-eight, township two north, range two east, north and south of Major's Creek, in said county, except about two hundred and forty-seven acres sold by William McDonald to Archibald McDonald by deed recorded in Deed Book B, page 350, of the Baldwin County records, which deed is hereby expressly referred to and by reference made part of this bill of complaint; section thirty-seven, township two north, range three east; north half of section nineteen, township two north, range three east; northwest quarter of section twenty, township two north, range three east; and the interest of each of the

and if such can be done will order a partition or division of same in proportion to the respective interests of each complainant and the respondent in the same manner and according to the practice of this honorable court; but should your Honor decide that an equitable division of said property cannot be made, then complainants pray that the entire property be decreed to be sold at public outcry, for cash, to the highest bidder, and that the proceeds of said sale be divided between the parties hereto in proportion to their respective interests in the same.

Complainants further pray for such further, other and different relief as in equity complainants may be entitled to, and to your Honor may seem meet and property.

Braaswell & Co.
Solicitors for Complainants.

FOOT NOTE:

Respondent is required to answer all of the allegations of each paragraph of the foregoing bill of complaint, but answer under oath is hereby expressly waived.

Braaswell & Co.
Solicitors for Complainants.

STATE OF ALABAMA, * Before me, Grace A. Smith, a Notary Public
*
MOBILE COUNTY. * in and for said County in said State, per-
* sonally appeared *W. C. Mullen*

who is known to me, and who being by me first duly sworn, says that he is informed and believes, and upon such information and belief states, that the allegations in the foregoing bill of complaint are true.

W. C. Mullen

Sworn to and subscribed before me this 19 day of October, 1923.

Grace A. Smith

Notary Public, Mobile County, Ala.

J. L. HARRIS et al.,
Plaintiff,

-vs-

W. M. CARNEY MILL COMPANY,
a corporation,
Defendant.

IN THE CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA,
AT LAW.

Comes the defendant, W. M. CARNEY MILL COMPANY,
a corporation, and demurs to the complaint filed in the above
styled cause and assigns the following grounds:

FIRST: Said Bill is without equity.

SECOND: Said bill fails to show the number of
shares in which the property is to be divided.

HAMILTON & MOORER
Attorneys for Defendant.

J. W. HARRIS et al.,
Plaintiff,

-vs-

W. M. CARNEY MILL COMPANY,
a corporation,
Defendant.

IN THE CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA,
AT LAW.

Comes the defendant, W. M. Carney Mill Company and moves the Court that the following non-resident complainants be required to give bond as required by law: Mary Dolive, who resides at Orlando, Florida; James A. Harris, who resides at Moss Point, Mississippi; Alize Motz and Francis Hays, Jr., who resides at Beaumont, Texas, all being non-residents of the State of Alabama.

HAMILTON & MOORE,
Attorneys for Defendant.

ATTORNEY'S APEARANCE

J. L. HARRIS, ET AL
Complainants,

VS.


CARNEY MILL COMPANY,
Respondents.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA.

IN EQUITY. # 474

Comes now Orvis M. Brown, and appears for the
Interveaning petitioner Shelton Harris, in the above styled
cause and reserves the right to plead further.


ATTORNEY FOR INTERVEANING
PETITIONER, Shelton Harris.

MOTION

J. L. HARRIS, et al,

Complainants

vs

CARNEY MILL COMPANY, a Corp.,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

No. 474

Comes now Shelton Harris by his attorney, Orvis M. Brown, and moves the Court to make him the party Complainant in lieu of the said James A. Harris. And he further shows to this Honorable Court that he is a son of James A. Harris, Sr., and the said James A. Harris, Sr., is now dead and has been deceased for about ten or twelve years; and he further shows that he is one of the only direct heirs of the said James A. Harris, Sr. and is heir to the respective interest of his said father in the above styled suit.

Your orator is over the age of twenty-one years and is a resident of Moss Point, Mississippi.

Your petitioner prays that upon the hearing of this motion he will be made the party complainant in the above styled cause in lieu of the said James A. Harris, Sr., deceased.


ORVIS M. BROWN,
Solicitor for Intervenor.

MOTION

J. L. HARRIS, ET AL.
COMPLAINANTS

VS.

GARNEY MILL COMPANY
Respondents.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA?

IN EQUITY # 474


Comes now Shelton Harris, by his attorney Orvis M. Brown, in the above styled cause and ask the permission of this Honorable Court, that he be permitted to file an interveaning petition in the above styled cause and for support thereof shows unto this Honorable Court as follows:

FIRST:

That your orator Shelton Harris, is the son of James A. Harris, one of the petitioners named in the original complaint, and that your orator was not joined in the original complaint because that he could not be contacted at the time and was not in a position to be made a party to the complaint. That your orator is over the age of twenty-one years and that he is a resident of Moss Point, Mississippi, that his mother is Clara Palmes Harris, the wife of James A. Harris, .

That the respondents are each over the age of twenty-one years and are as set out in the original complaint.

Your petitioner prays that upon the hearing of this petition that this Honorable Court will permit the petitioner to be made a party plaintiff and permitted to file his interveaning petition.


Solicitor for Intevenor.

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 Carney Mill Company, a Corporation,

of Escambia 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

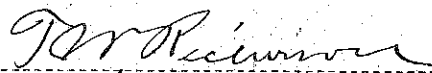
J.L.Harris, Agnes Toulmin, Mary Doliven James A.Harris, Alice Motz, Francis Hays, Jr.,

against said Carney Mill Company, a Corporation,

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, T. W. Richerson, Register of said Circuit Court, this 7th day of October

1924



Register.

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

NOTICE

J. L. HARRIS, et al.

IN THE CIRCUIT COURT OF

COMPLAINANTS

SALINE COUNTY, ALABAMA

vs

IN EQUITY
No. 474

CANNETT MILL COMPANY, a Corp.

Defendants.

Comes now Shelton Harris by his attorney, Ovis M. Brown,


and moves the Court to make him the party complainant in lieu of
the said James A. Harris. And he further shows to this Honorable
Court that he is a son of James A. Harris, Sr., and the said James

A. Harris, Sr., is now dead and has been deceased for about ten
or twelve years; and he further shows that he is one of the only
direct heirs of the said James A. Harris, Sr. and is heir to the
respective interest of his said father in the above styled suit.

Your orator is over the age of twenty-one years and

is a resident of Ross Point, Mississippi.

Your petitioner prays that upon the hearing of this
motion he will be made the party complainant in the above styled
cause in lieu of the said James A. Harris, Sr., deceased.


Ovis M. Brown,
Attorney for Intervenor.

*Filed Feb 3 1937
R. S. Dyer, Register*

Original

Serve on

Circuit Court of Baldwin County

In Equity

No.

SUMMONS

J. I. Harris, et al,

vs.

Orney Mill Company, a

Corporation.

Orney Mill

Brooks & McMillan,

Solicitor for Complainant.

Recorded in Vol. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this

day of 192

Sheriff.

RECORDED

Executed this 10 day of

Oct 1924

by leaving a copy of the within summons with

St. P. Ballou - Resident of

The Orney Mill Co.

Defendant.

W. J. Fairbank

Sheriff.

By

Deputy Sheriff.

In Equity # 4 7 4

J. L. Harris, Et. Al.

vs.

Garney Mill Company,

Motion.

Filed this 19th day Aug 1936

Robert S. Wheeler
Clerk Register

Orvis M. Brown, Attorney for
Intervenor. Shelton Harris.

47

RECORDED

MOTION.

6-602

mut-63

J. L. HARRIS, et al,
Complainants,

VS.

CARNEY MILL COMPANY, a Corp.,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 474

Filed February 3, 1937

G. S. Wick

~~DECK~~

Register

In Equity # 474

J. L. HARRIS, ET. AL.

VS.

CARNEY MILL COMPANY,

ATTORNEYS APPEARANCE.

Filed this 19 day Aug. 1936

Robert S. Jones
Clark Register

Orvis W. Brown,
Attorney for Shelton Harris
Robertsdale, Alabama.

