

London Wyatt, Jr., Ellen Mack, Sallie Thomas, Mary Sanders, Ben July, Fannie O. July and Benjamin F. July by his next friend Ben July. Plaintiffs.

IN THE CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY.

vs

Sipp Wyatt, C. G. Wyatt, Mamie Wadkins and Ida Wyatt. Defendants.

TO THE HONORABLE A. E. GAMBLE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNEY, ALABAMA,--In equity.

Your petitioners, London Wyatt, Jr., Ellen Mack, Sallie Thomas, Mary Sanders, Ben July, Fannie O. July and Benjamin F. July by his next friend Ben July, respectfully represents and shows unto your Honor as follows:

1. That London Wyatt, Jr., Ellen Mack, Sallie Thomas, Mary Sanders, Ben July and Fannie O. July are residents of Baldwin County, Alabama, residing at Blackshear, and over the age of twenty-one years; that Benjamin F. July is a minor 13 years of age and reside at Blackshear, Baldwin County, Ala.

That Sipp Wyatt, C. G. Wyatt, Mamie Wadkins and Ida Wyatt are over the age of twenty-one yaers and reside at Blackshear, Baldwin County, Alabama--all residents of Baldwin County, Alabama.

2. That your petitioners and defendants are joint owners or tenants in commen of the following described property situated, lying and being in Baldwin County, Alabama, to-wit:

The East half of Northwest quarter, Section Four Township Three North, Range Three East, containing in the aggregate ninety acres more or less.

That your petitioners London Wyatt, Jr., Ellen Mack, Sallie Thomas and Mary Sanders each own one twenty-fifth interest in said estate; that Ben July owns a life interest in one twenty-fifth of the said estate and that Fannie O. July and Benjamin F. July own the remainder equally.

That the defendants own each one fifth interest in

the above described property.

PRAYER FOR PROCESS.

The premises considered, your petitioners pray that the said Sipp Wyatt, C. G. Wyatt, Mamie Wadkins and Ida Wyatt be made party respondents to this bill of complaint by the usual process of this Honorable Court, and that they be required to demur, plead to or answer the same within the time and under the penalties as provided by law, or that the same be forever confessed.

PRAYER FOR RELIEF.

Your petitioners pray that upon the hearing of this cause Your Honor will make such orders and decrees and cause such proceedings as may be necessary to divide said property; your petitioners pray that that if a just and equitable division into parts of said property cannot be had then Your Honor will decree a sale of said property and order an equitable division of the proceeds thereof. That Your Honor will order a reference held directing the register of this court to ascertain what will be a reasonable solicitors fee to be paid to the Complainants solicitors for services rendered in this proceedings, and to tax such as a part of the cost hereof, and that your Honor will grant such other, further, different and general relief as Complainants may in justice and equity be entitled, etc.

P A G E & M O O R E R,

Solicitors for Complainants.

FOOT NOTE:

The defendants <sup>named in</sup> ~~the~~ the foregoing bill are hereby required to answer each and every paragraph of from one to two, both inclusive, but not under oath, answer under oath being hereby expressly waived.

P A G E & M O O R E R,

Solicitors for Complainants.

London Wyatt, Jr., Ellen  
Mack, Sallie Thomas, Mary  
Sanders, Ben July, Fannie O.  
July by his next friend Ben  
July.

Plaintiffs.

-VS-

Sipp Wyatt, C.G. Wyatt,  
Mamie Wadkins and Ida Wyatt,  
Defendants.

IN THE CIRCUIT COURT  
BALDWIN COUNTY, ALA.

IN EQUITY.

Comes the respondents, Sip Wyatt and C.G.  
Wyatt and demurs to the bill of complaint filed in this  
cause.

FIRST: Because there is no equity in the  
bill.

SECOND: Because the bill fails to allege  
the number of shares into which the property is to be divided.

*Chas Hall &*  
*Gordon & Edinger*  
Solicitors for Sip Wyatt and  
C.G. Wyatt, Respondents.

Dearborn,

Filed Jan 27th 1919.  
P W Richardson  
Register

RECORDED

-43-

NOTICE TO CREDITORS  
IN THE ESTATE OF  
JAMES H. DEARBORN  
DECEASED

NOTICE TO CREDITORS  
IN THE ESTATE OF

*[Faint, illegible text, possibly bleed-through from the reverse side]*

London Wyatt Jr., et als.)

vs.

Shipp Wyatt et als.)

In the Circuit Court of Baldwin County,

In Equity.

This cause is submitted for decree on the Demurrers of Respondents to the Original Bill, and on consideration,

It is ordered, adjudged and decreed that the said demurrers be and the same are hereby overruled.

It is further ordered that Respondents may have twenty days from the filing of this decree in which to file their answer to the Original Bill.

*A. E. Gamble*  
Judge.

Feb. 8th 1919.

Lordon Wyatt & Co  
vs  
Siff Wyatt & Co

Filed 2/10-1919,  
District Court  
- Register

RECORDED

Recorded on Minutes  
Page 41.

MEMORANDUM  
BOND

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 Shipp Wyatt, C.G. Wyatt, Mamie Wadkins  
and Ida Wyatt,

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

London Wyatt, Jr., Ellen Mack, Sallie Thomas, Mary Sanders, Ben July  
Fannie O July, and Benjamin F. July, by his next friend Ben July,

against said Shipp Wyatt, C.G. Wyatt, Mamie Wadkins and Ida Wyatt.

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 3rd, day of December

1918.

*T. W. Richerson*

Register.

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

*Original*

Serve on.....

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY.

No.....

SUMMONS.

*London Myatt et al*

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

Received in office this *3rd*

day of *Dec* 191*8*

*C. E. Coulbants*

Sheriff.

Executed this *7* day of

*January* 191*9*

by leaving a copy of the within Summons with

*Shipp Myatt C. G. Myatt*  
*Mamie Watkins & Ada Myatt*

Defendant

*C. E. Coulbants*

Sheriff

vs.

*Shipp Myatt et al.*

By .....

Deputy Sheriff.

RECORDED

Solicitor for Complainant.

Recorded in Vol..... Page.....



London Wyatt, Jr., Ellen Mack,	:	
Sallie Thomas, Mary Sanders, Ben	:	
July, Fannie O. July and Benjamin	:	
F. July by his next friend Ben	:	
July,	:	In the Circuit Court,
	:	Baldwin County, Ala.
Plaintiffs.	:	
	:	
Vs.	:	IN EQUITY.
	:	
Sipp Wyatt, C.G. Wyatt, Mamie	:	
Wadkins and Ida Wyatt,	:	
Defendants.	:	

Comes the defendants Sipp Wyatt and C.G. Wyatt and answering the bill of complaint filed in this cause by London Wyatt, Jr., et al., and says:

1. They admit that the allegations as alleged in the first paragraph of said bill of complaint are true.

X  
 2. Answering the second paragraph of the bill respondents Sipp Wyatt and C.G. Wyatt allege that they each own more than a one-fifth interest in the land described in the bill of complaint, and that Mamie Watkins owns more than a one-fifth interest therein, but denies that the respondent Ida Wyatt owns a one-fifth interest in said land. Respondents Sipp Wyatt and C.G. Wyatt aver and allege and shows to the court that they each live on a portion of said land and have been residing thereon for more than twenty-five years and each have erected valuable improvements on that portion of the land on which they are now living and have been for the said period of twenty-five years, and that these respondents Sipp Wyatt and C.G. Wyatt aver that the land described in said bill of complaint was owned by their father, Soloman Wyatt, at the time of his death and that all <sup>of</sup> the parties to the bill of complaint filed in this cause, except Ida Wyatt, inherited the said land at the time of the death of their said father which occurred more than twenty-five years ago, and these respondents pray the Court to have assigned to them, the said Sipp Wyatt and C.G. Wyatt, that portion of said land on which they have

erected their said improvements and on which they are now living, and make such orders and decrees as may be necessary to give them the benefit of their said improvements.

Chas. Hall &  
Gordon Edington

Solicitors for Sipp Wyatt and C.G.  
Wyatt, respondents.

Wm Wyatt & Co  
Wyatt, etc,

Wm Wyatt & Co  
Wyatt & Co  
Wyatt,

ed 2/14-1919.  
W. Richardson  
Register

Wm Wyatt & Co  
Wyatt & Co  
Wyatt,

CORDED