

STATE OF ALABAMA,)
BALDWIN COUNTY.)

IN THE CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT, BALDWIN
COUNTY, ALABAMA.-----In Equity.

Your petitioner G. W. Phillips respectfully represents
and shows unto Your Honor as follows:

First.

That he is a bona fide resident citizen of Baldwin
County, Alabama, residing at Little River in said County, and
that he is over twenty-one years of age.

That B. H. Stallworth is over Twenty-one years of age a
and a resident of Monroe County, Alabama.

Second.

That your petitioner is owner and in peaceable possessi
ion of the following described property:

The Southwest quarter of Northeast quarter
and the Northeast quarter of the Southwest quarter of Section
Thirty, Township Four North Range Four East, Baldwin County,
Alabama, excepting a strip 20 feet wide on the South side of
the Northeast quarter of Southwest quarter of said Section.
Also one black horse mule named Charlie
and one two horse wagon and harness.

That on to-wit: The _____ day of _____,
1929, your petitioner executed a mortgage to the Bank of Uriah,
Uriah, Alabama, and that the said mortgage and indebtedness se-
cured thereby was extended by the said bank until to-wit:

worth to the said bank of Uriah, and your petitioner further alleges that the said B. H. Stallworth, if her purchased the said mortgage and note, purchased same after maturity and after same had been paid by your petitioner.

Third:

That said mortgage and note evidencing the indebtedness bore a usurious rate of interest, and is contrary to law.

Fourth:

That the said B. H. Stallworth by virtue of a recent purported assignment, executed long after payment of said mortgage and note evidencing the indebtedness secured thereby and long after the maturity of same is now giving note of foreclosure in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, alleging that he will sell the above described property to the highest bidder for cash, a copy of said notice is hereto attached and marked exhibit "A" and made a part of this bill as though fully set out herein. Petitioner alleges that although he owes no part of the indebtedness mentioned in said mortgage and note states that he is able, ready and willing and hereby offers to do equity in said cause.

Fifth:

The premises considered, Your petitioner prays that the said B. H. Stallworth be made party respondent to this bill of complaint, and that all necessary subpoenas, decrees or orders be issued by Your Honor as necessary to perfect service upon the B. H. Stallworth above named, requiring him to answer, plead to or demur to this complaint within the time and under the pains

neytfrom further interfering with the above described property until this court determines the equities existing between the parties.

Your petitioner farther prays that an accounting be had and that this Honorable Court cancel and declare void and re-quire that all of said mortgages/^{owned by respondent affectin this ca} and especially the one under which the said B. H. Stallworth is attempting to foreclose be cancelled of record; your petitioner further prays that if he is mistaken in the relief prayed that Your Honor will grant unto him such other, further, different and general relief as he may in justice and equity be entitled in said cause, he will ever pray.

G. W. Phillips,

Complainant.

Henry D. Moorer
Henry D. Moorer, Atty.

Foot Note:

The Respondent B. H. Stallworth is required to answer esch and every paragraph contained in the foregoing bill of complaint numbered from First to Fifth, both inclusive, but not under oath, answer under being hereby expressly waived.

G. W. Phillips,
Complainant.

Henry D. Moorer
Henry D. Moorer, Atty.

Equity no

~~1000~~
1000

vs W. J. McQueen

vs

J. J. McQueen

Filed Oct 19, 1934

H. D. Moore
HENRY D. MOORE
ATTORNEY AT LAW

BAY MINNETTE, ALA