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

No. 7

Cathyrn

vs. Calrand.

PLAINTIFF DEFENDANT

	BILL OF	COSTS		
FEES OF REGISTER	ollars Cents	Brougt Forward	8/0 8	10
Filing each bill and other papers 10	100	For Receiving, keeping and paying out or distributing money, etc.: 1st		
Issuing each subpoena 50 Issuing each copy thereof 40		\$1,000, 1%, all over \$1,000, and not		
Entering each return thereof I5		over \$5,000, 3-4 of 1%; all over \$5,-		
For each order of publication 1 00	أيحم بسأت	000 and not exceeding \$10,000, 1-2 of		
Issuing Writ of injunction I 50		1%, all over \$10,000 1-4 of 1%.	-	
For each copy thereof		Receiving, keeping and paying out	1. ],	
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Issuing Writ of Attachment I 00		1% of amount received.		
Entering each return thereof		Each notice sent by mail to creditor 15		
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Entering each appearance 25	ا د کر	claim, etc.		
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Issuing each decree pro confesso on publica 1 00		For all entries on commission docket,		
Each order appointing guardian I 00		etc. ////////////////////////////////////	13	6
Any other order by Register 50	9 3	Making final record, per 100 words 15	.0	* <i>u</i>
Issuing Commission to take testimony 50		Certified copy of decree 1 00		
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Taking testimony, etc 15		witness65		
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For every 100 words over 500 15-5	100	Entering and returning same 25		
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Witness certificate, each 25	300	Executing Writ of possession 2 50		
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Hearing and passing on application, etc. 3 00		Serving and returning application, etc. 1 00		
Each settlement with Receiver, etc. 3 00	3/6/	Serving attachment, contempt of court 1 50	1 . [	
Examing each voucher of Receiver, etc _ 10	21/30	TOTAL FEES OF SHERIFF.		
Examing each answer, etc. 3 00 Recording resignation, etc 75	1196		1	5 1
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	Register.	193	}						y, Ala.

C. a. Thompson

Mrs. William H. Bount and A. F. Trawick

Filed - Maga 2 1933 orn. a. Stare Register + eleve C. A. THOMPSON,

Complainant,

VS.

A. F. TRAWICK AND MRS. WILLIAM H. BENNETT,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 7.

### AMENDED BILL.

Comes the Complainant, C. A. Thompson, and amends the original Bill of Complaint heretofore filed in this cause in the following particulars: The Complainant amends the said Bill of Complaint by adding after paragraph 4 of the said original Bill paragraphs 5, 6 and 7 which read as follows:

- 5. Your Orator further shows that the Respondent,
  A. F. Trawick, has since the commencement of this suit and the
  service of process upon him in this said cause, gone upon the property described in the original Bill, namely, the West Half of the
  Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 4, Township 4 South Range 4 East in Baldwin County,
  Alabama, and has and is now cupping the timber on the said property
  for turpentine purposes which will materially reduce the value of
  the said timber growing upon the said land, which constitutes
  practically all of its value, and will permanently injure it.
- 6. Your Orator has not given the said Respondent,
  A. F. Trawick, or any other person working for or under him, permission to go upon the said land or any part of it and in any way work or interfere with the land or the timber growing thereon.
- 7. Your Orator is informed and believes and on such information and belief states the fact to be that the said A. F. Trawick is not financially able to pay and satisfy a judgment which may be rendered against him for any damages done to the said land or timber; that if the said land or timber growing thereon is injured by the said A. F. Trawick or those claiming or working under

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him your Orator will be irreparably injured; that he has no adequate remedy at law and that it is necessary that the said Respondent, A. F. Trawick, his agents, servants and employees be enjoined from working the timber on the said land, trespassing on or in any way disturbing the status quo of the said property.

Your Orator further amends his original Bill of Complaint by adding after the words "holds no encumbrance upon the same" in the first paragraph of the Prayer for Relief, the following:

Your Orator prays that pending a final hearing and determination of the issues of this suit your Honor will cause to be issued a temporary writ of injunction or restraining order according to the rules and practices of this Honorable Court, restraining and enjoining the Respondent, A. F. Trawick, his agents, servants and employees from turpentining the timber on the lands hereinabove described, trespassing on the said lands and from doing anything or taking any action which would disturb the status quo of the said property.

Your Orator further amends the Foot Note in the original Bill by changing the figure "4" where the same therein appears so that the same will read "7".

Solicitor for Complainant.

TO M. A. STONE, REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

\$250. On Complainant entering into bond in the sum of \$250. with sufficient surety, to be approved by the Register, conditioned as required by law, let an injunction issue as prayed for in the foregoing Bill of Complaint.

Given under my hand this 12th day of December, 1933.

Scocker Thornton, Sudy Virenit Court, BAY MINETTE, ALA. Dec - 7-33 M M. a. Stone - Clerk.

### THE BALDWIN TIMES

SUBSCRIPTION \$1,50 PER YEAR IN ADVANCE

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## ON THE CONTRACTOR OF THE CONTR

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

Your Orator, C. A. Thompson, brings this his Bill of Complaint against A. F. Trawick and Mrs. William H. Bennett and thereupon your Orator complains and shows unto the Court as follows:

- 1. Your Orator is over the age of twenty-one years and resides in Baldwin County, Alabama; the Defendant, A.F.Trawick, is over the age of twenty-one years and resides in Baldwin County, Alabama; the Defendant, Mrs. William H. Bennett, is over the age of twenty-one years and a non-resident of the State of Alabama, whose residence and post office address is unknown and cannot be ascertained after diligent inquiry.
- 2. Your Orator is the owner of the following described land in Baldwin County, Alabama, to-wit: The West Half of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 4 in Township 4 South Range 4 East, except for a dower interest in an undivided one-half of the said property now owned by the said Defendant, Mrs. William H. Bennett, claims to own the said interest in the said land in his own right and is in the actual, quiet and peaceable possession of said land.
  - 3. The said Mrs. William H. Bennett should join as a party Complainant in this cause but your Orator has been unable to locate her and secure her consent to be made such party and for this reason she is made a party Defendant.
  - 4. The Defendant, A. F. Trawick, claims, or is reputed to claim, some right, title or interest in or encumbrance upon the said land; that no suit is pending to enforce or test the validity of such title, claim or encumbrance and your Orator brings this his Bill of Complaint against the said Defendant to settle the title to said land and clear up all doubts and disputes concerning the same; and your Orator here and now calls upon the said Defend-

ant to set forth and specify his title, claim, interest or encumbrance to or upon the said land or any part thereof, and how and by what instrument the same is derived and created.

### PRAYER FOR PROCESS.

Your Orator prays that the said A. F. Trawick and Mrs. William H. Bennett be made parties defendant to this Bill of Complaint and that the usual process of this Honorable Court do forthwith issue to them and each of them.

### PRAYER FOR RELIEF.

Your Orator further prays that upon a final hearing of this cause your Honor will grant and enter a Decree against the said Defendant, A. F. Trawick, quieting the title to the said land and adjudging and decreeing that your Complainant is the owner of his said interest in the said land in his own right; that title to the said interest in the said land is in your Orator forever quieting your Orator's title against the said Defendant, A. F. Trawick, and adjudging and decreeing that the said Defendant is without right, title, or interest in the said land and has and holds no encumbrance upon the same.

Your Orator further prays for such other, further and general relief as he may be equitably entitled to the premises considered.

Soficitor for Complainant.

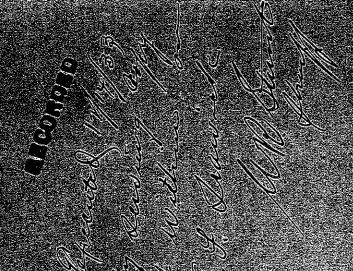
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FOOT NOTE: The Defendants and each of them are required to answer each and every paragraph of the foregoing Bill of Complaint numbered 1 to 4 both inclusive, but not under oath, the benefit whereof is hereby expressly waived.

Solicitor for Complainant.

## THOMPSON. THOMPSON. THOMPSON. THAT STATE COMPILED TO. THAT THE STATE OF STATE OF

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C. A. THOMPSON,

Complainant,

VS.

A. F. TRAWICK and MRS. WILLIAM H. BENNETT,

Respondents.

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

le a. Thompson

AFFIDAVIT.

Before me, the undersigned authority within and for said County in said State, personally appeared C. A. Thompson, who, after being by me first duly and legally sworn deposes and says:

That he is the Complainant in the above entitled cause; that it is necessary to make Mrs. William H. Bennett a party Defendant in said cause; that the said Mrs. William H. Bennett is over twenty-one years of age and a non-resident of the State of Alabama, whose residence and post office address are unknown and sannot be ascertained after diligent inquiry.

Sworn to and subscribed before me on this the 2/2 day of November, 1933.

Notary Public, Baldwin County, Alabama.

EMARARIA (COUNTY) ARABAWA IN THE CHROUTH COURT OF

C. A THOMPSON,

COMPLAINANT,

vs

A. F. TRAWICK &

MRS. WILLIAM H. BENNET,

RESPONDANTS:

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

Comes the Respondants in the above styled cause and for answer to complaint filed therein say as follows:

FIRST: Your Respondants deny each and every allegation contained in the Bill of Complaint.

SECOND: Your Respondant, A. F. Trawick, denies that the said C. A. Thompson is the owner of any part of the following described property, to-wit:

The West One Half  $(W_2)$  of the Southeast Quarter  $(SE_{\frac{1}{4}})$ , and the Southeast Quarter of the Southeast Quarter  $(SE_{\frac{1}{4}})$ , Section Four (4), Township Four (4) South, Range Four (4) East, Baldwin County, Alabama.

THIRD: For answer to second paragraph, your Respondant sayeth:

That he was in possession of said property at the time of the filing of the suit, and that he is in possession of said property at this time; and denies that at any time the said C. A. Thompson was in possession of said property.

FOURTH: The Respondant, A. F. Trawick, claims this property as his own; stating that he acquired title thus:

United States to Timothy Duck; Heirs of Timothy Duck to Robert F. Duck; Robert F. Duck to Abner J. Smith; Abner J. Smith to James Kugler; James Kugler to A. R. McCormack; A. R. McCormack to Louise Kugler; Louise and James Kugler to William H. Bennet and T. D. Bennet; William H. Bennet and T. D. Bennet to State of Alabama; State of Alabama to H. B. Mosley; H. B. Mosley to A. F. Trawick, your Respondant.

FIFTH: Your Respondant further alleges that the said

C. A. Thompson claims, or is reputed to claim, some right, title, interest in, or encumbrance on said property; and that this is the only suit pending to enforce and test the validity of said title or claim, or encumbrance; and your Respondant, A. F. Trawick, asks that this answer be taken as his answer and cross-bill for the purpose of determining the title, possession and ownership, and interest in said land; and your Respondant calls upon the said C. A. Thompson to set forth, and specify his title, claim, interest, or encumbrance to and upon said land; and how, and by what instruement, or instruements, the same is derived or created.

### PRAYER FOR PROCESS:

Your Respondant respectfully prays that the said C. A. Thompson be made party respondant to this cross-bill of Complaint by the usual process of this Honorable Court, or that the same be forever confessed.

### PRAYER FOR RELIEF:

Your Respondant respectfully prays that upon the final hearing of this cause, your Honor will grant a decree quieting the title to said property and adjudging and decreeing that your Respondant is the owner, and in possession of said lands; and that the right, title, and interest in and to the same is in your Respondant, and is good and valid against all claims of the said C. A. Thompson; and that the said C. A. Thompson has no right, title or interest to, or encumbrance on the said lands.

If your Respondant is mistaken in the felief prayed for, then your Honor will grant unto him such, other, further, different and general relief, as he may in justice and equity be entitled, he will ever pray, etc.

Henry D. Moorer, Attorney for Respondents.

FOOT-NOTE:

The Complainant is required to answer each and every allegation contained in the foregoing bill, Paragraphs One to Five inclusive, but not under oath; answer under oath being hereby expressly waived.

Henry D. Moorer, Attorney for Respondants.

C. A. THOMPSON,

Complainant,

CO.

A. F. TRAWICK & MRS. MILH.

BENNET.

Respondants,

(ANSWER AND GROSS-BILL)

Jiled. Sept 2/1884

HENRY D. MOORER Jak

BAY MINETTE, ALA.

P

C. A. THOMPSON

Complainants.

.VS

A. F. TRAWICK and MRS. WILLIAM H. BENNETT

Defendants.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

Comes the Defendants in the acove styled cause and demur to the Original Bill Tiled in this cause, and assign the following grounds to each count, thereof, severally and separately:

FIRST: There is no equity in the bill.

Henry D. Joorer,

Attorney for Defendants.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

IN EQUITY

C. A. THOMPSON,

Complainant

VS.

MRS. WILLIAM H. BENNETT,

Defendants; A. F. TRAWICK,

DEMURRERS

Filed on the \_day of

1933.

Register.

Henry D. Moorer, Attorney for Defendant.

copy to J. B. Plackbury

## The State of Alabama, Circuit Court of Baldwin County, In Equity. Baldwin County.

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### INJUNCTION BOND.

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT OF SAID COUNTY.

son and which we hereby bind ourselves, our heirs, executors and administrators, jointly and severally.

Sealed with our seals and dated this 12th day of December, 1933.

The condition of the above obligation is such that whereas the said C. A. Thompson has filed his Bill of Complaint in the Circuit Court of Baldwin County, Alabama, and on an amendment thereto has obtained thereon an order for the issuance of an injunction from the Honorable J. Blocker Thornton, Judge of the Circuit Court, Mobile, County, Alabama, to restrain and enjoin A. F. Trawick, his agents, servants and employees from turpentining the timber on said lands described in the Bill of Complaint, trespassing on the said lands and from doing anything or taking any action which would disturb the status quo of the said property pending the determination of the issues set up in said suit.

NOW THEREFORE, if the said C. A. Thompson, or his heirs, executors or administrators shall pay or cause to be paid all damages and costs which any person may sustain by the suing out of such injunction if the same is dissolved, then this obligation shall be void, otherwise it shall remain in full force and effect.

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

le athonysir (SEAL)

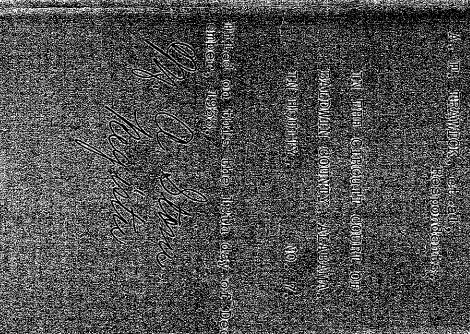
\_\_\_(SEAL)

ATO James (SEAL)

Taken and approved on this the 12th day of December,

1933.

Register in Chancery.



### WRIT OF INJUNCTION.

STATE OF ALABAMA BALDWIN COUNTY

IN THE CIRCUIT COURT OF SAID COUNTY.

TO A. F. TRAWICK:

You will take notice that on the 12th day of December, 1933, C. A. Thompson filed in the Circuit Court of Baldwin County, Alabama, his amended Bill of Complaint praying for an injunction against the said A. F. Trawick; that the said Bill of Complaint as amended was presented to the Honorable J. Blocker Thornton, Judge of the Circuit Court of Mobile County, Alabama, and that the said Judge made the following endorsement thereon:

"TO M. A. STONE, REGISTER OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

On Complainant entering into bond in the sum of \$250.00, with sufficient surety, to be approved by the Register, conditioned as required by law, let an injunction issue as prayed for in the foregoing Bill of Complaint.

Given under my hand this 12th day of December, 1933.

J. Blocker Thornton, Judge Circuit Court, Mobile County, Ala."

You will further take notice that the said C. A.

Thompson has entered into bond in the sum of \$250.00, conditioned as prescribed by law which said bond has been approved by me.

NOW THEREFORE, you are hereby commanded and enjoined from turpentining the timber on the lands, trespassing on, and from doing anything or taking any action which would disturb the status quo of the said property described in the original and amended Bill of Complaint, namely, the West Half of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 4, Township 4 South Range 4 East in Baldwin County, Alabama, pending the determination of the issues set up in said suit.

In testimony of all of which I, M. A. Stone, Register of the said Court, have hereunto set my hand as said Register on this the 12 th day of December, 1933.

M. a. Store

# F. TERWINGS CROWN COUNTY WITHIN MARKET WITHIN COUNTY COUNTY WITHIN COUNT

### ORDER OF PUBLICATION.

C. A. THOMPSON,

Complainant,

VS.

A. F. TRAWICK AND MRS. WILL-IAM H. BENNETT,

Respondents.

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

In this cause it appearing from an Affidavit of the Complainant, C. A. Thompson, that the Respondent, Mrs. William H. Bennett, is over the age of twenty-one years and a non-resident of the State of Alabama, whose residence and post office address is unknown and cannot be ascertained after reasonable effort.

It is therefore ordered that the said Respondent plead, answer or demur to the allegations of the Bill of Complaint filed against her in this cause before the 2nd day of January, 1934, or upon the expiration of thirty days from the said date the same will be taken as confessed against her.

It is further ordered that a copy of this Order be published once a week for four consecutive weeks in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, and that a copy thereof be posted at the front door of the Court House of said County immediately after the issuance hereof.

Dated this 21st day of November, 1933.

J. B. BLACKBURN, Solicitor for Complainant.

M. A. STONE, Register in Chancery.

A E TURAN

almonus (7. ...)

C. A. THOMPSON,

Complainant,

VS

IN THE CIRCUIT COURT,

A. F. TRAWICK, &

BALDWIN COUNTY, ALABAMA,

MRS. WILLIAM H. BENNET,

IN EQUITY.

RESPONDANTS,

Comes the Respondant, A. F. Trawick, and moves the Court to compel the Complainant, C. A. Thompson, to increase the bond in this cause; and your Respondant respectfully represents and shows unto your Honor as follows:

### FIRST:

That the property consists of one hundred and twenty acres of what is known as turpentine land, and your Respondant, A. F. Trawick sought to turpentine said land and that he was injoined by the Complainant by fixing an insignificant bond, in the sum of Two Hundred and Fifty Dollars; and that this is greatly less than the injury done your Respondant.

### SECOND:

Your Respondant respectfully prays that the Complainant be required to enter into a bond which will protect your Respondant against loss caused by said injunction.

Henry D. Moorer, Attorney for Respondant.

C. A. THOMPSON, Complainant,

MRS. WILLIAM H. BENNET, A. F. TRAWICK & RESPONDANTS,

(MOTIOM)

Told. Sept 20, 1934

the const Caust: C. a. Thampson Raldun County, a. 2 nameda m. William Bernett Ultura. Rlefendust Come The Hegen and the The Ame styled course and refile. The deminer That a The august till in said Cause. HARMAN Sunfuts

Chuty - 2200

C. A. Thompson,

VS.

A. F. Trawick,

Mrs. William H. Bennette,

Demurress

Filed, this 30th day of January

1934.

Register.

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