'8" (110)

W. T. ROBINSON and C. W. HALL.

Complainants,

VS.

ARTEMELIA HARRIS, JONAS HARRIS and J. W. BARLE.

Respondents.

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

NUMBER 110.

#### REPORT OF SALE OF LAND FOR CONFIRMATION

And now comes ROBERT S. DUCK, Register of the Circuit Court of Baldwin County, Alabama, and respectfully reports that in pursuance of an order of this court, on to-wit, March 23rd, 1935, authorizing the undersigned to sell certain realty belonging to Artemelia Harris and Jonas Harris, after having given due and legal notice by advertising the same in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, for thirty (30) days previous to the day of sale, setting forth the time, place and terms of sale, on Monday, the 3rd day of June, 1935, the day, and at the place appointed for said sale, between the legal hours of sale, did offer said realty for sale at public outery, in front of the Courthouse door of Baldwin County, Alabama, to the highest bidder, for eash; and at said sale W. T. Robinson and G. W. Hall, being the highest, best and last bidder therefor, became the purchaser of the South half of the Southeast quarter and the Northeast quarter of the Southeast quarter, less 7 acres to Dick Reese, all in Section 17, Township 3 North of Range 3 East, in Baldwin County, Alabama, at the price of Three Hundred Ten and 00/100) Dollars.

The said Register further reports that said W. T. Robinson and C. W. Hall have complied with the terms of said sale, and have, in cash, paid the entire amount of said purchase money; that said sale was fairly conducted, and that said realty was sold for an amount not

greatly disproportionate to its real value.

WHEREFORE, the undersigned, as Register of this Court, respectfully prays that said sale be in all things confirmed and made good; and that an order be granted authorizing him, as such Register, to execute title to the said W. T. Robinson and C. W. Hall for said real estate purchased by them as aforesaid. All of which is respectfully submitted.

Baldwin County, Alabama.

Sworn to and subscribed before me on this bhaday of June, 1935.

ic, Baldw Alabama.

W. T. ROBINSON and C. W. HALL.

Complainant,

VS.

ARTEMELIA HARRIS, JONAS HARRIS, and J. W. EARLE,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY,
NUMBER 110.

#### ORDER OF CONFIRMATION OF SALE

This day comes ROBERT S. DUCK, Register of the Circuit court of Baldwin County, Alabama, and files his report in writing, and under cath, setting forth among other things that on Monday, the 3rd day of June, 1935, within the hours provided by law, and in strict accordance with all and singular, the terms and requirements of the former order and decree of this court granted and entered in the premises on the 23rd day of March, 1935, he proceeded and sold at public outery, in front of the court house in this county, the lands set forth and particularly described in said former order and decree, and that said land was purchased, at said sale, by W. T. Robinson and C. W. Hall for the sum of Three Hundred Ten and 00/100 (\$310.00) Dollars.

And it appearing to the satisfaction of the court, from said report, and the evidence now therewith submitted, that said amount, so bid for said land, by said W. T. Robinson and C. W. Hall, was the highest and best bid for the same; that said sum so bid, was not greatly less or dispreportionate to its real value; that said sale was legally and fairly made, and that the purchase money so bid has been duly paid.

IT IS ORDERED, ADJUDGED AND DECREED, that said sale be, and the same hereby is approved, and in all things ratified and confirmed by the order and authority of this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the said ROBERT S. DUCK, as such Register as aforesaid, be authorized and he is hereby ordered to convey by proper deed to the said W. T. Robinson and

C. W. Hall, all right, title and interest which Artemelia Harris and Jones Harris have in such lands.

IT IS FURTHER ORDERED that said report and all other papers on file relating to this proceeding be recorded.

IT IS FURTHER ORDERED that W. T. Robinson and C. W. Hall pay the costs in this proceeding to be allowed to them against any claim of the said Artemelia Harris and Jonas Harris.

Done at Monroeville, Monroe County, Alabama, on this the

Judge of the Circuit Court of Baldwin County, Alabama.

W. T. ROBINSON and C. W. HALL,

Complainants,

VS.

ARTEMELIA HARRIS, JONAS HARRIS and J. W. EARLE.

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 110.

This cause coming on to be heard was submitted upon the original Bill of Complaint, Decree Pro Confesso, and pleadings as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainants are entitled to the relief prayed for in said bill.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the indebtedness of One Hundred and Fifty (\$150.00) Dollars, together with interest from March 28th, 1928, as evidenced by mortgage, are still due and unpaid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said mortgage from Artemelia Harris and Jonas Harris to J. W. Earle, dated March 28th, 1928, and of record in the office of the Probate Judge of Baldwin County, Alabama, in Mortgage Book 43, pages 12-13, and which, together with the indebtedness secured thereby, is now the property of the Complainants, be and the same hereby is reformed so that the description shall read as follows:

The South half of the Southeast quarter and the Northeast quarter of the Southeast quarter, less seven acres to Dick Reese, all in Section 17, Township 3 North of Range 3 East, in Baldwin County, Alabama.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainants have a lien against the following described lands in Baldwin County, Alabama, to-wit:

The South half of the Southeast quarter and the Northeast quarter of the Southeast quarter, less seven acres to Dick Reese, all in Section 17, Township 3 North of Range 3 East,

to secure the payment of said indebtedness.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said lands, to-wit:

The South half of the Southeast quarter and the Northeast quarter of the Southeast quarter, less seven acres to Dick Reese, all in Section 17, Township 3 North of Range 3 East, in Baldwin County, Alabama,

be sold and subjected to the payment of the indebtedness of the Complainants in the principal sum of one Hundred and Fifty (\$150.00) Dollars, and interest from March 28th, 1928, together with the costs of this proceeding and the costs of sale, including a reasonable attorney's fee; that the indebtedness of the Complainants is ascertained and fixed at  $\frac{1}{2}$ , and the attorney's fee at

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondents be and they are hereby given thirty days in which to pay the indebtedness as herein, and if they shall fail or refuse to pay the same in said time, then the Register of this court is hereby ordered, after giving thirty days notice in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, to sell the said property, at public outery, in front of the courthouse door in Baldwin County, Alabama, during the legal hours of sale, to the highest bidder, for cash, and to make, execute and deliver to the purchaser a deed conveying all the right, title and interest of the said Respondents in and to the said property, and make return to this court within thirty days from the sale.

IT IS FURTHER ORDERED, that the Complainants pay the costs herein to be taxed for which execution may issue, unless such cost is realized out of the sale of said property.

IT IS FURTHER ORDERED by the court that should the property ordered sold, for the satisfaction of the indebtedness herein, bring morethan the amount herein established, together with the costs of this proceeding, then the Register is hereby ordered to deliver the said surplus over to the Respondents herein.

Done at Monroeville, Monroe County, Alabama, on this the 23 day of March, 1935.

Judge of the 21st Judicial Circuit of Alabama.

The State of Alabama, Baldwin County.	No. 110 CIRCUIT COURT IN EQUITY.
W. T. Robinson and C. W. He	all Complainant
	VS.
Artemelia Harris, Jonas Ha	cris and J. W. Earle Defendant
In this cause it appears to the	Register
	emelia Harris, Jonas Harris and
J. W. Earle	***************************************
***	0001454444000
`**	••• ••••
	<b>0.0</b>
	*** ***********************************
	***************************************
	*** >**********************************
•	***************************************
	Bill of Complaint in this cause within thirty days
after the service of said Summons upon th	
	Baldwin County, Alabama, on the
14th <sub>day of</sub> February	
4	******
	·
	*** **********************************
And the said Defendant A having failed to	demur, plead to or answer the said Bill of Complaint
	Beebe & Hall, Solicitors for the
Complainants	* * # · · · · · · · · · · · · · · · · ·
	plaint in this cause be and it hereby is in all things
	lia Harris, Jonas Harris and J. W.
	***************************************
*	••• •••••••••
	•••••••••••••••••••••••••••••••••••••••
	•••••••••••••••••••••••••••••••••••••••
	***************************************
	***************************************
	***************************************
· • • • • • • • • • • • • • • • • • • •	***************************************

This 18th day of March

Pobert

. Defendant Saforesaid.

Duck Register.

CIRCUIT COURT, BALDWIN COUNTY, ALA.,

No. // O artemila Harris et al

PLAINTIFF

DEFENDANT

				Costs	j	<u>/</u>	Ad
Fees of Register		Dollars	Cts.	Brought Forward	1	1	70 61
				For receiving, keeping and paying out or distributing		12	a
mg each bill and other papers	3 10		20	money, etc.; 1st \$1,000 1 per ct.; all over \$1,000,			
ing each subpoena	50		377	and not over \$5,000, 3-4 of 1 per ct.; all over \$5,-	1.		
ring each copy thereof	40	1	20	000, and not exceeding \$10,000, 1-2 of 1 per ct.: all	].		
ering each return thereof	15	'	15	over \$10,000, 1-4 of 1 per ct.	1.		
each order of publication	1 00	,	i. 1	Receiving, keeping and paying out money paid into	] .	1.	
uing writ of injunction	1 50	1	00	court, etc., 1-2 of 1 per ct. of amount received,	-  :		
r each copy thereof	50			Each Notice sent by mail to creditors	15		
tering each return thereof	15			Filing, Receipting for and docketing each claim, etc	25		
uing writ of attachment	1 00			For all entries on subpoena docket, etc	50	.	
tering each return thereof	15			For all entries on commission docket, etc.	50	20-1	o O
cketing each case	1 00	1	21-6	Making final record, per 100 words	15	ا ب	
tering each appearance	25			Certified copy of decree	1 00	1.	00
uing each decree pro confesso on persi ser	1 00	1	00	Report of divorce to State Health office	50.	ور	ere Bark k
uing each decree pro confesse on publication	1.00	4		Acts 1915	1,	14	DL
ch order appointing guardian	1 00			Total Fees of Register	1	0	
ch order appointing guardian	50			Aven Even of the Section		5	﴾ تميياً سسس
uing commission to take testimony	50	1			-  -		ōΟ
ceiving and filing	10			Fees of Sheriff	-		5.
dorsing each package	10		April 10 to				
tering order submitting cause	50		570	Serving and returning subpoens on deft.	8 1 50	Aug .	50
stering order submitting	25		1	Serving and returning subpoena for witness	65	- 1	
nting all testimony	50		50			-	
estract of cause, etc.	1 00			Levying attachment		i	
ntering each decree	75	7	75	Selling property attached			
r every 100 words over 500	15			Impaneling Jury	75		
aking account, etc	3 00			Executing writ of possession	2 50		
aking testimony, etc.	15	1			1 50	ļ	
ach report, 500 words or less	2 50	2	50	Serving and returning sci. fa., each	65	Ì	
	15	_	į.	Serving and returning notice	65		
mount claimed less than \$306, etc.	2 00	1	20	Serving and returning writ of injunction	1 50		
suing each subpoens	25			Serving and returning writ of exeat	1 50		
itness certificate, each	25			Taking and approving bonds, each		ł	
suing execution, each	75			Collecting money on execution	.		
ntering each return	15			Making deed	2 50		
aking and approving bond, each	1 00	.		Serving and returning application, etc.	1 00		
sking copy of bill, etc	15	i	1	Serving attachment, contempt of court	1 50		i
ach notice not otherwise provided for	50	·		Total Fees of Sheriff		1.	- Alleria
ach certificate or affidavit, with seal	50	1	1		ļ	Lange	50
ach certificate or affidavit, no seal	25				İ		
learing and passing on application, etc.	3 00	1		Recapitulation	Į	.,	
ach settlement with receiver, etc.	3 00	)	1	Kecapitatation		, ,	a
remining each youther of receiver, etc	10		ļ	Register's Fees		10	TO C
vamining each answer, etc.	3 00	)		Sheriff's Fees	· · · · · ]	4	5
acording resignation, etc.	75	5		Commissioner's Fees	Ì		-
atoring each certificate to Supreme Court	51			Solicitor's Fees		•	
Line augstions and answers, etc.	2	· (		Witness Fees			
or all other service relating to such proceedings	1 00	0	t	C II S I I ideas		_	00
conservices in proceeding to relieve minors, etc.,		1.	1	Printer's Fees		9.	13. 14
egma fees as in similar cases.			17	Trial Tax	3 00	3	
sammission on sales, etc.: 1st \$100, 2 per cent.: all ove \$100, and not exceeding 1,000, 1 1-2 per ct.: all		<b>X</b> ろ	0	Recording Decree in Probate Court		\$	
ores \$1 000, and not exceeding \$20,000, I per cu	· 77	SAICE.		1		1 4	T N
all over \$20,000, 1-4 of 1 per ct.	of his			TOTAL		130	14
			784	A .		1 1	4
Sub Total Carried Forward		.   /1	V	O		-	CONTRACT.
200 Total Carried Towns		14	-   1	- Company of the Comp	- P.	<b>15</b> S	1
•					-	7	مريخ ا مريد ا

TO HOMORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COURTY, ALABAMA, IN CHANGERY:

HAIL, and respectfully represents and show unto your Honor and this Honorable Court as follows:

#### 77 13 13 77 2

That they are residents of Austra, Assembla County,
Alabama, over twenty-one years of age.

#### 

That the Respondents, APPARILA HARRIS and Johns Usanic, are bone fide residents of Baldwin County, Alabama, over County-one years of any.

#### 

That on March 20th, 1923, Artemplia Juris and Jones Enrice hade, executed and dulivered to J. W. Earle a northead on certain Lands in Enlawin County, Almbara, to become an indepts dress of one landred and firty (\$150,00) pollars; that
build sorthead to of record in the office of the Probate Judge of Baldsin County, Alabama, in Northead Back 45, pages 18-13; that a copy of sold morthead is because extracted market Exhibit
"A", and asked to be taken a part bereaf as though berein fully set out.

#### 

That the ould portugate and the indebtedness secured thereby were transferred, assigned and delivered over by the said J. W. Carle to the Compleinants.

#### SERVICE SECURIS

That the Respondents were the conser, and in the poe-

sension of an interest in the following described lands in Baldwin County, Alabama, to-wit:

> The South half of the Southeast quarter and the Northeast quarter of the Southeast quarter of Section 17. Township 3 North of Sango 3 Nost, loss / norms to Dick Resso;

that this was the only land outed by the said Asspondents, and it was the intention and agreement of the Respondents and the said J. N. Sarle that this land should be described in the said mortgage, however, the party drafting the morte gase incorrectly described the lands as sat out in the copy of mortgage hereto attached, seried limits "a".

#### 

That the indeptedness secured by main nortgage, towit, One Hundred and Fifty (\$150.00) Dellars, is still due and unpaid, together with interest thereon from March 28th, 1925.

that your Honor will, by proper process, make the said Artonella Deris and Jones Harris and J. T. Carle, parties respondent to the Bill of Complaint, requiring them to plead, answer or dominate the same within the lime and under the pomaltics prescribed by law and the processes of this Honorable Court.

> The South half of the Southeest quartor and the Hortheast quarter of the Southeast quarter, less 7 porce to blok Reese, all in Section 17. Township 3 North of Bongo 3 Rast, in Paldwin County, Alabasa,

end setablishing the indobtedness of the Completenia against the unid respondents, artematic service and Jones Sarria, included in a case service.

Ing a reasonable atturney's fee as provided in soid services, and further establishing a lieu of the Completenia sectors the

meta property, in Palavin County, Labama, deportbed on follows, to-wit:

> The South helf of the Southeast cuarter and the Mortheast quarter of the Boutheast quarter Mass 7 sores to Dick Rooms, all in Ecotion 17, formship 3 North of Range 3 Mast;

and ordering the Register of the Circuit Court of Balawin County, alabams, to sell the said land in satisfaction of the said indebtodness and to make proper deed to the purchaser.

Complainants pray for such other, further, different or general relief as they may be in equity and good conscience entitled to receive. And as in duty bound they will ever pray.

Bule + Nall

IOOT NOTE:

数

The Respondents and each of them are required to shower each and every allegation contained in paragraphs <u>There</u> to <u>start</u>, but not under each, each being hereby expressly relived.

Rule + Hall

THE STATE OF ALABAKA

BALDWIN COUNTY

Know all men by these presents that we Jonas & Artemelia Harris in consideration of the sum of one hundred & fifty dollars, to us in hand paid by J W Earle, the receipt whereof is hereby acknowledged, do grant, bargain, sell and convey unto J W Earle, heirs and assigns forever, all St of SH1, NH2 less 7 to all in Sec 17 Dock Reese, also one Maria Mule, Black Rome Babby.

To have and to hold, the above granted and described premises with the appurtenances unto the said J W Earle and to his heirs and assigns, and to their sole and only proper use, benefit and behoof forever. Provided always, and these presents are upon the express condition, that if the said Jonas & Artemelia Harris shall well and truly pay to the said J. W. Farle the sum of one hundred & fifty dollars, then these presents shall cease, determine and to be void, otherwise to remain in full force.

and the said Jonas & Artemelia Harris does hereby vest the said J. W. Earle or his assigns, with full power and authority upon the happening of a defualt in the payment of the note above described, to sell their interest in said property at public sale for cash, giving 10 days notice in a newspaper published in Bay Minette and the proceeds to apply, first, to the payment of the amount due on said note with interest on same; second, to the payments of the costs of sale, including a reasonable attorney's fee, and if there shall be a surplus, then the balance to be paid over to Jonas & Artemelia Harris. And we do authorize the said J. W. Earle to conduct the sale, and to make deed to the purchaser, and the title so made we hereby agree to defend against all persons. It is agreed that the mortgagee herein may bid at said sale as if he were a stranger to this instrument.

Given under our hand and seal this 28 day of March in the year of our Lord one thousand 9 nine hundred & 28.

Signed, scaled and delivered in presence of M. M. Breazeals
T. J. Earle

Jonas Harris (Seal) Artemelia Harris (Seal)

THE STATE OF ALABAMA

BALDWIN COUNTY.

I, William A Breazeals, hereby certify that Jonas Harris whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date Given under my hand this 28th day of March A. D.

1928

non A total

And I do hereby further certify that on the 28 day of March, 1928, came before me the above named Artemelia Harris known to me to be the wife of the above named Jonas Harris who being examined by me separate and apart from her husband touching her signature to the above instrument, acknowledged that she signed the same of her own free will and accords and without fear, constraint or threats on the part of her husband.

In witness whereof, I hereunto set my hand this 28th day of March 1928

Wm A. Breazeale, a Notary Public

# The State of Alabama, Baldwin County.

Circuit Court of Baldwin County, In Equity.

To Any Sheriff of the State of Alabama-GREETING:

J. W. Earle		·		
				<u> </u>
	Ŋ			
<u> </u>				
· · · · · · · · · · · · · · · · · · ·	· .	·		
ಗಾಗಿ ಕ್ರಮಗಳ ಇ	e de la companya de La companya de la co			
Bak win		· ·		e of the Circuit Court
Baldwin County, exerc		Fig. 4	•	
ns, and there to answer,	plead or demur, with	lout oath, to a	Bill of Complaint	lately <b>e</b> xhibited by
W.T.Robinson and	l C.W.Hall	And the second s		
	· · · · · · · · · · · · · · · · · · ·	·	· · · · · · · · · · · · · · · · · · ·	
<u> </u>				
				<u> </u>
minst saidArtemel	<u>ia Harris , J</u>	onas <u>Harri</u> s	and J. W.	<u> Karle</u>
				-
		<u> </u>	·	
		·		
		,		
		,		
l further to do and perfori	m what said Judge	shall order and	direct in that be	
l further to do and perfori	m what said Judge	shall order and	direct in that be	
l further to do and perfor d Defendant shall in no w it with your endorsement	m what said Judge rise omit, under penalt thereon, to our said C	shall order and ty, etc. And w	direct in that be	that you return this
l further to do and perform d Defendant shall in no w it with your endorsement Ro b	m what said Judge rise omit, under penalt	shall order and ty, etc. And w	direct in that be turther command upon the execution	that you return this a thereof.
d further to do and perform id Defendant shall in no w it with your endorsement Rob	m what said Judge vise omit, under penalt thereon, to our said Copert S1Duck X Sione Register of	shall order and ty, etc. And w ourt immediately said Circuit Cou	direct in that be turther command upon the execution	that you return this

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

Come your Complainants, W. T. ROBINSON and C. W. HALL, and respectfully represent and show unto your Honor and this Honorable Court as follows:

#### FIRST:

That they are residents of Atmore, Escambia County, Alabama, over twenty-one years of age.

#### SECOND:

That the Respondents, ARTEMELIA HARRIS and JONAS and J.W. Earle.

HARRIS, are bona fide residents of Baldwin County, Alabama, over twenty-one years of age.

#### THIRD:

That on March 28th, 1928, Artemelia Harris and Jonas Harris made, executed and delivered to J. W. Earle a mortgage on certain lands in Baldwin County, Alabama, to secure an indebtedness of One Hundred and Fifty (\$150.00) Dollars; that said mortgage is of record in the office of the Probate Judge of Baldwin County, Alabama, in Mortgage Book 43, pages 12-13; that a copy of said mortgage is hereto attached marked Exhibit "A", and asked to be taken a part hereof as though herein fully set out.

#### FOURTH:

That the said mortgage and the indebtedness secured thereby were transferred, assigned and delivered over by the said J. W. Earle to the Complainants.

#### FIFTH:

That the Respondents were the owners, and in the pos-

session of an interest in the following described lands in Baldwin County, Alabama, to-wit:

The South half of the Southeast quarter and the Northeast quarter of the Southeast quarter of Section 17, Township 3 North of Range 3 East, less 7 acres to Dick Reese;

that this was the only land owned by the said Respondents, and it was the intention and agreement of the Respondents and the said J. W. Earle that this land should be described in the said mortgage, however, the party drafting the mortgage incorrectly described the lands as set out in the copy of mortgage hereto attached, marked Exhibit "A".

#### SIXTH:

That the indebtedness secured by said mortgage, towit, One Hundred and Fifty (\$150.00) Dollars, is still due and unpaid, together with interest thereon from March 28th, 1928.

WHEREFORE the premises considered, Complainants pray that your Honor will, by proper process, make the said Artemelia Harris and Jonas Harris and J. W. Earle, parties respondent to this Bill of Complaint, requiring them to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

complainants further pray that upon a final hearing of this cause Your Honor will make and enter an order and decree reforming the said mortgage of Artemelia Harris and Jonas Harris to J. W. Earle, which is now the property of your Complainants, so that the same shall describe the land as follows:

The South half of the Southeast quarter and the Northeast quarter of the Southeast quarter, less 7 acres to Dick Reese, all in Section 17, Township 3 North of Range 3 East, in Baldwin County, Alabama,

and establishing the indebtedness of the Complainants against the said Respondents, Artemelia Harris and Jonas Harris, including a reasonable attorney's fee as provided in said mortgage, and further establishing a lien of the Complainants against the

said property, in Baldwin County, Alabama, described as follows, to-wit:

The South half of the Southeast quarter and the Northeast quarter of the Southeast quarter less 7 acres to Dick Reese, all in Section 17, Township 3 North of Range 3 East;

and ordering the Register of the Circuit Court of Baldwin County, Alabama, to sell the said land in satisfaction of the said indebtedness and to make proper deed to the purchaser.

complainants pray for such other, further, different or general relief as they may be in equity and good conscience entitled to receive. And as in duty bound they will ever pray.

Bule & Seel
Solicitors for Complainants.

FOOT NOTE:

The Respondents and each of them are required to answer each and every allegation contained in paragraphs

FIRST to SIXTH, but not under oath, oath being hereby expressly waived.

Solicitors for Complainants.

#### EXHIBIT "A"

THE STATE OF ALABAMA

BALDWIN COUNTY

Know all men by these presents that we Jonas & Artemelia Harris in consideration of the sum of one hundred & fifty dollars, to us in hand paid by J W Earle, the receipt whereof is hereby acknowledged, do grant, bargain, sell and convey unto J W Earle, heirs and assigns forever, all  $S_2^{\frac{1}{2}}$  of  $SE_2^{\frac{1}{4}}$ ,  $NE_2^{\frac{1}{4}}$  less 7 to all in Sec 17 Dock Reese, also one Maria Mule, Black Rome Babby.

To have and to hold, the above granted and described premises with the appurtenances unto the said J W Earle and to his heirs and assigns, and to their sole and only proper use, benefit and behoof forever. Provided always, and these presents are upon the express condition, that if the said Jonas & Artemelia Harris shall well and truly pay to the said J. W. Earle the sum of one hundred & fifty dollars, then these presents shall cease, determine and to be void, otherwise to remain in full force.

And the said Jonas & Artemelia Harris does hereby vest the said J. W. Earle or his assigns, with full power and authority upon the happening of a default in the payment of the note above described, to sell their interest in said property at public sale for cash, giving 10 days notice in a newspaper published in Bay Minette and the proceeds to apply, first, to the payment of the amount due on said note with interest on same; second, to the payments of the costs of sale, including a reasonable attorney's fee, and if there shall be a surplus, then the balance to be paid over to Jonas & Artemelia Harris. And we do authorize the said J. W. Earle to conduct the sale, and to make deed to the purchaser, and the title so made we hereby agree to defend against all persons. It is agreed that the mortgagee herein may bid at said sale as if he were a stranger to this instrument.

Given under our hand and seal this 28 day of March in the year of our Lord one thousand 9 nine hundred & 28.

Signed, sealed and delivered in presence of M. M. Breazeals T. J. Earle.

Jonas Harris (Seal)
Artemelia Harris (Seal)

THE STATE OF ALABAMA

BALDWIN COUNTY.

I, William A Breazeals, hereby certify that Jonas Harris whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date Given under my hand this 28th day of March A. D.

1928

And I do hereby further certify that on the 28 day of March, 1928, came before me the above named Artemelia Harris known to me to be the wife of the above named Jonas Harris who being examined by me separate and apart from her husband touching her signature to the above instrument, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of her husband

In witness whereof, I hereunto set my hand this 28th day of March 1928

Wm A. Breazeale, a Notary Public

TO HONORABLE P. W. HARR, JUDGE OF THE CIRCUIT COURT OF BALDSIN COURTY, ALABAMA, IN CHANCERY:

Come your Compleinants, F. T. ROMINSON and C. F. Hall, and respectfully represents and show unto your Honor and this Honorable Court as follows:

#### 17777

That they are residents of Atmore, Escambia County, Alabama, over twenty-one years of age.

#### LULIUS LILEAN

That the Respondents, ARTIMELIA MARRIS and JONAS MARRIS, are bone fide residents of Relevin County, Alabama, over twenty-one years of age.

#### 3101013

Harris made, executed and delivered to J. W. Earle a mortgage on certain lands in Paldwin County, Alabama, to secure an in-debtedness of One Bundred and Fifty (\$150.00) Deliars; that said mortgage is of record in the office of the Probate Judge of Paldwin County, Alabama, in Martgage Book 45, pages 12-15; that a copy of said mortgage is hereto attached marked Exhibit "A", and asked to be taken a part hereof as though herein fully set out.

#### 

That the said nortgage and the indebtedness secured thereby were transferred, assigned and delivered ever by the said J. W. Earle to the Complainants.

#### 

That the Respondents were the owners, and in the pos-

sension of an interest in the following described lands in Baldwin Gounty, Alabama, to-wit:

> The South half of the Southeast quarter and the Northeast quarter of the Southeast quarter of Section 17, forments 5 North of Range 5 Rust, loss 7 acres to Dick Roose;

that this was the only land owned by the said Respondents and it was the intention and agreement of the Respondents and the said J. W. Marke that this land should be described in the said mortgage, however, the party drafting the mortgage incorrectly described the lands as set out in the copy of mortgage herete attached, marked Exhibit "A".

#### 

That the indebtedness secured by said mortgage, towit, One Rundred and Fifty (\$150.00) Dollars, is still due and unpaid, together with interest thereon from March 20th, 1928.

that your Honor will, by proper process, take the said Artemalia Harris and Jonas Harris and J. W. Harle, parties respondent to this hill of complaint, requiring them to plead, answer or denur to the same within the time and under the penaltice prescribed by law and the practice of this Honorable Court.

of this cause Your Honor will make and enter an order and decree reforming the said mortgage of Artemelia Harris and Jonas Warris to J. W. Farle, which is now the property of your Compleinants, so that the same shall describe the land as follows:

The South half of the Southeast quarter and the Mortheast quarter of the Southeast quarter ter, less 7 acres to Dick Reese, all in Section 17. Township 3 horth of Hange 3 hast, baldwin County, Labers,

and establishing the indebtedness of the Complainamiants against the said Respondents, Artenelia Harris and Jones Harris, including a reasonable attorney's fee as provided in Said mortgage, and further establishing a lieu of the Complainants against the

eald proporty, in Deldwin County, Alabama, described as fol-

The South balf of the Southeast quarter and the Northeast quarter of the Southeast quarter ber 1853 7 acres to Dick Reese, all in Section 17, Township 5 North of Mange 5 Sast;

and ordering the Register of the Gircuit Court of Palavin County, Alabama, to soil the said land in satisfaction of the said indebtedness and to make proper deed to the purchaser.

Complainants pray for such other, further, different or general reliaf as they may be in equity and good conscience entitled to receive. And as in duty bound they will ever pray.

Rube & Itall

TO THE STATE OF

The laspendents and each of them are required to answer each and every allegation contained in paragraphs

[There we are not under each, each being hereby expressly unived.

1 Delbe + Mall

#### TOTAL MARKETT

THE STATE OF ALABAMA

BALDWIN COUNTY

Know all men by these presents that we Jonas & Artemelia Harris in consideration of the sum of one hundred & fifty dollars, to us in hand paid by J W Earle, the receipt whereof is hereby acknowledged, do grant, bargain, sell and convey unto J W Earle, heirs and assigns forever, all Si of SE1, NE1 less 7 to all in Sec 17 Dock Reeze, also one Maria Mule, Black Rome Babby.

To have and to hold, the above granted and described premises with the appurtenances unto the said J w Earle and to his heirs and assigns, and to their sole and only proper use, benefit and behoof forever. Provided always, and these presents are upon the express condition, that if the said Jonas & Artemelia Harris shall well and truly pay to the said J. W. Earle the sum of one hundred & fifty dollars, then these presents shall cease, determine and to be void, otherwise to remain in full force.

and the said Jonas & Artemelia Harris does hereby vest the said J. W. Earle or his assigns, with full power and authority upon the happening of a default in the payment of the note above described, to sell their interest in said property at public sale for cash, giving 10 days notice in a newspaper published in Bay Minette and the proceeds to apply, first, to the payment of the amount due on said note with interest on same; second, to the payments of the costs of sale, including a reasonable attorney's fee, and if there shall be a surplus, then the balance to be paid over to Jonas & Artemelia Harris. And we do authorize the said J. W. Earle to conduct the sale, and to make deed to the purchaser, and the title so made we hereby agree to defend against all persons. It is agreed that the mortgages herein may bid at said sale as if he were a stranger to this instrument.

Given under our hand and seal this 28 day of March in the year of our Lord one thousand 9 nine hundred & 28.

Signed, sealed and delivered in presence of M. M. Breazeals T. J. Earle. Jonas Harris (Seal) Artemelia Harris (Seal)

THE STATE OF ALABAMA

BALDWIN COUNTY.

I, William A Breazeals, hereby certify that Jonas Harris whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me, on this day, that being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date

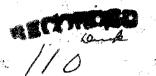
Given under my hand this 28th day of March A. D.

1926

And I do hereby further certify that on the 28 day of March, 1928, came before me the above named Artemelia Harris known to me to be the wife of the above named Jonas Harris who being examined by me separate and apart from her husband touching her signature to the above instrument, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of her husband

In witness whereof, I hereunto set my hand this 28th day of March 1929

Wm A. Breazeale, a Notary Public



W. T. ROBINSON and C. W. HALL,

Complainants,

VS.

ARTEMELIA HARRIS, JONAS HARRIS and J. W. EARLE,

Respondents.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NUMBER 110.

REPORT OF SALE OF LAND FOR

CONFIRMATION

day of June, 1935.

Circuit Court of Baldwin County

SUMMONS

auncan

Recorded in Vol. -

- Page -

Solicitor for Complainant

# THE STATE OF ALABAMA, BALDWIN COUNTY

Received in office this

SHERIFF

Executed this

\_ 193 5

by leaving a copy of the within Summons with

Defendant

m Houlking Sheriff Marias Deputy Sheriff

puck

W. T. ROBINS ON and C. W. HALL,

Complainants,

VS.

ARTEMELIA HARRIS, JONAS HARRIS and J. W. EARLE,

Respondents.

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

BILL OF COMPLAINT

Filed this 22 day of January, 1935.

Robert S. Duck

HALL, ROBINSON and C. W.

Complainents,

ಶ

ARTENELIA HARRIS, JONAS HARRIS and J. W. EARLE,

Respondents.

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

BILL OF COMPLAINT.

Filed this 25 day of January, 1935.

Robert S. Buch

Solicitor,

The State of Alabama, No. 1/0 CIRCUIT COURT IN EQUITY.
W. J. Robinson and C. W. Hall Complainant
vs.
artemelia Harris et al Defendant
Motion is hereby made for a Decree Pro Confesso against
Harris, Jonas Harris & JW. Casl Defendant.
n the above stated cause, on the ground that more than thirty days have elapsed since service of
summons upon said Defendant_S; and that said summons was duly served according to law, and
hat said Defendant I have failed to demur, plead to or answer the Bill of Complaint in this cause
This

BAY MINETTE, ALA. HILACI

R.S. Wuck.

## BALDWIN

Under and by virtue and in pursuange of a decree rendered in the Circuit Court of Baldwin County, Alabama, in Equity, on March 23rd, 1935, I as Reg. dster of said Court, will, on the 3rd day of June, 1935, in front of the Courthouse door of Baldwin County, Alabama

at twelve o clock noon, sell for cash, to the highest bidder, the property described in that certain mortgage from Artemelia Harris and Jonas Harris to J. W. Harle, dated March 28th, 1928, and of record in the office of the Probate Judge of Baldwin County, Alabama, in mortgage book 43, pages 12-13, and by the said J. W. Earle assigned to W. R. Robinson and C. W. Hall, the description in said mortgage having been heretofore reformed and the said land ordered sold by the above decree, said

property beng described as follows: The South half of the Southeast quarter; the Northeast quarter of the Southeast quarter, less seven acres to Dick Reese, all in Section 17, Township 3 North of Range 3 East in Baldwin

County, Alabama.

Said sale to be conducted and the proceeds applied in accordance with the above decree. ROBERT S. DUCK, Register of Circuit Court of Baldwin County, Alabama. BEEBE & HALL, Attorneys.

D IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$1.50 PER YEAR IN ADVANCE ADVERTISING RATES GIVEN ON APPLICATION

to W. R. Police Some C. W. K.

\$9.19

STATE OF ALABAMA, CIRCUIT COURT, IN EQUITY.  Baldwin County.  No. 1/0 March Term, 1925
W. J. Robinson & C. H. Hall, Complainant
artemelia Harris et al Defendant
To Robert & Duck, Register:
In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

defense having been interposed, the Complainant, by

Solicitor for Complainant.

THE STATE OF ALABAMA  Baldwin County
IN EQUITY  Circuit Court of Baldwin County
upon the original Bill of Complaint,  Sefluctures  Confesso Decree
_

Robert S. Duck Register.

# \*BOURT # D

The State of Alabama

IN EQUITY
Circuit Court of Baldwin County

H.T. Robinson +

artemelia Harris

NOTE OF TESTIMONY

Filed in Open Court this 20

day of March 1935

Robert S. Duck

REGISTER

MOORE PROMITING CO., BAT MINISTER, ILLE

vo.//O Page
THE STATE OF ALABAMA  BALDWIN COUNTY  CIRCUIT COURT, IN EQUITY
W. J. Robinson &
Ortemelia Harres et al
REQUEST FOR DECREE IN VACATION
FILED March 20 1935 Robert S. Duck asa Register
RECORDED IN
VOL PAGE

MOORE PTG. CO

Register

m & Rules Feler Duch



## The State of Alabama, Baldwin County.

	・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・	
	Γ COURT, IN	EQUITY
CIRCOL		
	•	
W. 1	Robinson	vad

C.W. Hall	
artemelia!	Harris
et al	, ,

	No. of the last of
- TEOD DECRI	REPRO
MOTION FOR DEGRA-	LSERVICE
CONFESSO ON 1 End	

	STATE OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN C
and the same of th	
Filed March	<u> </u>
. 1	11 10 50
7/2 22 alas	/ 5
Filed III William	
Robert S.	
$\sim 1 - 1 = 0$	11) 100 101
$\rho$	Nucro
JANUN S	
	The second secon
The second secon	A STATE OF THE PARTY OF THE PAR

	The state of the s	
	in	Record.
Recorded	in	
Vol	Page	

Register.	