

ALTON MOORE

X

Plaintiff,

X IN THE CIRCUIT COURT OF

vs.

X BALDWIN COUNTY, ALABAMA

BOOKER T. JORDAN

X

AT LAW

Defendant,

X CASE NO. 4821

Comes now the Plaintiff by and through his Attorney Harry J. Wilters, Jr. and contests the claim of exemption filled by the Defendant in the above styled Cause. For grounds thereof the Plaintiff says that this suit was filled under Title 7, Section 272, of the Code of Alabama as recomplied in 1958, which action is penal in nature and therefore his claim of exemption under Title 7, Section 639, is of no effect Plaintiff futher says that he is not required to file a Bond in this contest since the Defendants claim of exemption came subsequent to the levy of execution.

Harry J. Wilters, Jr.
HARRY J. WILTERS, JR.
Attorney for Plaintiff,

Sworn to and subscribed before me on this 19th
day of December 1968.

Clair B. Jackson
NOTARY PUBLIC

State of Alabama at Large

CERTIFICATE OF SERVICE

I do hereby certify that I have on this _____ day of _____
served a copy of the following pleading on counsel for
parties to this proceeding by _____ by United States
Mail, properly addressed, and first class postage prepaid.

WILTERS & BRANTLEY

FILED

DEC 19 1968

ALICE A.

ALTON G. MOORE,
Plaintiff
-VS-
BOOKER T. JORDAN,
Defendant

I
I IN THE CIRCUIT COURT OF
I BALDWIN COUNTY, ALABAMA
I AT LAW
I
DEMURRERS

Comes now the Defendant in the above styled cause and demurs to the Bill of Complaint filed in the hereinabove styled case, and for grounds thereof, assigns separately and severally the following:

ONE

That the said Bill of Complaint does not state cause of action.

TWO

As to Count One, the Bill of Complaint does not sufficiently allege the description of the property of the Plaintiff.

As to Count Two, said property description is vague, indefinite and uncertain.

THREE

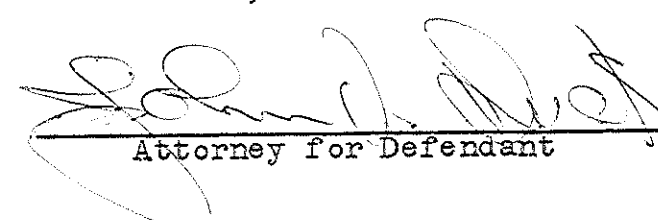
As to Count Three, that the said Description of the property is vague, indefinite and uncertain.

FOUR

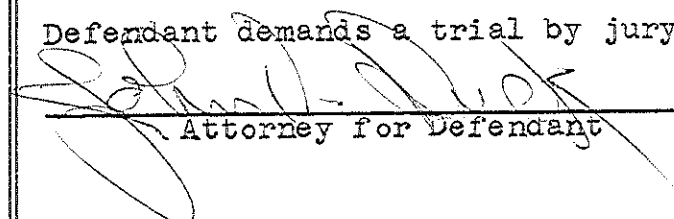
As to Count Four, the description of the property is vague, indefinite and uncertain.

FIVE

As to Count Four, the statement willfully and knowingly without the consent of the Plaintiff, is a mere conclusion of the pleader.


Attorney for Defendant

Defendant demands a trial by jury.


Attorney for Defendant

ALTON G. MOORE,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
Vs.	X	BALDWIN COUNTY, ALABAMA
BOOKER T. JORDON,	X	AT LAW
Defendant.	X	CASE NO. 4821

Comes now the Plaintiff in the above styled cause and amends each count of his original Complaint to read as follows:

1.

The Plaintiff claims of the Defendant Two Thousand and No/100 (\$2,000.00) Dollars, damages for wrongfully taking the following goods and chattels, the property of the Plaintiff, viz: sixty-two pine trees which had been cut by Defendant from Plaintiff's property described as follows: Lots 23 and 24 of the Subdivision known as and called Sandy Beach Parkway, Unit #2, according to the plat thereof recorded in Map Book 5, page 60 of the records in the office of the Judge of Probate, Baldwin County, Alabama.

2.

The Plaintiff claims of the Defendant Two Thousand and no/100 (\$2,000.00) Dollars, damages for the conversion by him, during to-wit: the period from September 10th, 1960 to September 30th, 1960, of the following chattels, to-wit: sixty-two pine trees which had been cut by Defendant from the property described as follows: Lots 23 and 24 of the Subdivision known as and called Sandy Beach Parkway, Unit #2, according to the plat thereof recorded in Map Book 5, page 60 of the records in the office of the Judge of Probate, Baldwin County, Alabama.

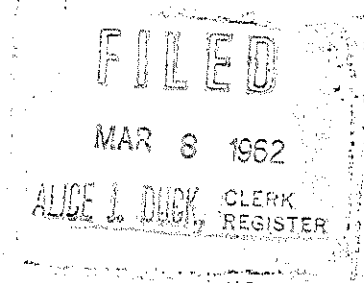
3.

The Plaintiff claims of the Defendant Two Thousand and No/100 (\$2,000.00) Dollars, damages for a trespasses by the Defendant on the following tract of land, viz: Lots 23 and 24 of the Subdivision known as and called Sandy Beach Parkway,

Unit #2, according to the plat thereof recorded in Map Book 5, page 60 of the records in the office of the Judge of Probate, Baldwin County, Alabama, belonging to the Plaintiff, and for the cutting of timbers thereof to-wit: sixty-two pine trees, together with the removal of the said cut timber across the said land of the Plaintiff by the Defendant during the period of time from to-wit: September 10th, 1960 to September 30th, 1960.

4.

The Plaintiff claims of the Defendant the sum of Two Thousand and No/100 (\$2,000.00) Dollars, damages for that the Defendant on, to-wit, the 10th day of September, 1960, and on divers with days and times between that day and the commencement of this suit, willfully and knowingly without the consent of the Plaintiff, and Plaintiff was the owner of the land, cut down and destroyed, the following number of trees and saplings belonging to Plaintiff, to-wit: sixty-two pine trees and fifty saplings of that kind, then growing and being in and upon the land of Plaintiff, described as follows: Lots 23 and 24 of the Subdivision known as and called Sandy Beach Parkway, Unit #2, according to the plat thereof recorded in Map Book 5, page 60 of the records in the office of the Judge of Probate, Baldwin County, Alabama; and the Plaintiff was during said time the owner of said land and during all of said times, and therefore, Plaintiff brings this suit and claims the said sum of Defendant.



MOORE & SHINAULT

BY:

~~Attorney for Plaintiff~~

WILTERS & BRANTLEY

BY:

Harry Wilters
Harry Wilters, Attorney for Plaintiff

ALTON G. MOORE, : IN THE CIRCUIT COURT OF
Plaintiff : BALDWIN COUNTY, ALABAMA.
VS. :
BOOKER T. JORDON, :
Defendant. : CASE NO. 4821

COUNT ONE

The Plaintiff claims of the Defendant Two Thousand and No/100 (\$2,000.00) Dollars, damages for wrongfully taking the following goods and chattels, the property of the Plaintiff, viz: sixty-two pine trees which had been cut by Defendant from Plaintiff's lot located at Sandy Beach Parkway on Mobile Bay, Baldwin County, Alabama.

COUNT TWO

The Plaintiff claims of the Defendant Two Thousand and No/100 (\$2,000.00) Dollars, damages for the conversion by him, during to-wit: the period from September 10th. 1960 to September 30th., 1960, of the following chattels, to-wit: sixty-two pine trees which had been cut by Defendant from the lot at Sandy Beach Parkway on Mobile Bay, Baldwin County, Alabama.

COUNT THREE

The Plaintiff claims of the Defendant Two Thousand and No/100 (\$2,000.00) Dollars, damages for a trespasses by the Defendant on the following tract of land, viz: the vacant lot of Plaintiff located at Sandy Beach Parkway on Mobile Bay, Baldwin County, Alabama, belonging to the Plaintiff, and for the cutting of timbers thereof to-wit: sixty-two pine trees, together with the removal of the said cut timber across the said land of the Plaintiff by the Defendant during the period of time from to-wit: September 10th., 1960 to September 30th, 1960.

COUNT FOUR

The Plaintiff claims of the Defendant the sum of Two Thousand and No/100 (\$2,000.00) Dollars damages for that the Defendant on, to-wit, the 10th day of September, 1960 and

on divers with days and times between that day and the commencement of this suit, willfully and knowingly without the consent of the Plaintiff, and Plaintiff was the owner of the land, cut down and destroyed, the following number of trees and saplings belonging to Plaintiff, to-wit: sixty-two pine trees and fifty saplings of that kind, then growing and being in and upon the land of Plaintiff, situated in Baldwin County in the State of Alabama, and known as Sandy Beach Parkway on Mobile Bay; and the Plaintiff was during said time the owner of said land and during all of said times, and therefore, Plaintiff brings this suit and claims the said sum of Defendant.

MOORE & SHINAULT

BY: George I. Moore
ATTORNEY FOR PLAINTIFF *per.*

WILTERS & BRANTLEY

BY: Harry J. Wilters
HARRY WILTERS, ATTORNEY FOR
PLAINTIFF

FILED

FILED: AUG 17 1931

Alice J. Duck, CLERK
REGISTER

CLERK

Defendant's address:
Booker T. Wordon
Spring Street
Fairhope, Alabama

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 4821

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Booker T. Jordon

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Booker T. Jordon

, Defendant

by Alton G. Moore

, Plaintiff

Witness my hand this 17 day of August 1961

Alton G. Moore, Clerk

No. 4821 Page

The State of Alabama
Baldwin County

CIRCUIT COURT

ALTON G. MOORE

Plaintiffs

vs.

BOOKER T. JORDON

Defendants

Summons and Complaint

Filed August 17, 19 61

Alice J. Duck Clerk

Moore & Shinault - WILTERS & BRANTLEY
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

8/18/ 1961

, Sheriff

I have executed this summons

this Aug 30 19 61

by leaving a copy with

Booker T. Jordan

Sheriff claims 70 miles at 700
Ten Cents per mile Total \$
TAYLOR WILKINS, Sheriff
BY W. O. Garner
DEPUTY SHERIFF

Taylor Wilkins Sheriff
W. O. Garner Deputy Sheriff

Thope