

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon John W. Styron and John W. Styron, Jr., to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of Emmie Stovall Carter.

Witness my hand this 30 day of Aug,  
1965.

Alice J. French  
Clerk

EMMIE STOVALL CARTER,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
JOHN W. STYRON and	X	AT LAW
JOHN W. STYRON, JR.,	X	
Defendants.	X	

COMPLAINT

The Plaintiff sues to recover possession of the following tract of land:

The Southwest Quarter of the Northeast Quarter of Section 26, Township 8 South, Range 3 East, of St. Stephens Meridian, in Baldwin County, Alabama.

of which she was in possession, and upon which, pending such possession, and before the commencement of this suit, the Defendants entered and unlawfully withholds, together with Three

Hundred and Seventy-five Dollars (\$375.00) for the detention thereof.

CHASON, STONE & CHASON

John Earle Chason  
Attorneys for Plaintiff

The Plaintiff respectfully requests a trial by jury of this cause.

CHASON, STONE & CHASON

By: John Earle Chason

EX-9-17-65

FILED  
AUG 30 1965  
ALICE L. DICK, CLERK  
REGISTER

no. 6665

Received 30 day of Aug. 1965  
and on 17 day of Sept. 1965  
I served a copy of the within S&C  
on John W. Styron &  
John W. Styron, Jr.  
By service on John W. Styron

TAYLOR WILKINS, Sheriff  
By J. M. Eastburn D. S.  
Ben Secour att.

No such person as  
John W. Styron, Jr.  
in this area.  
Jm

Sheriff claims 86 miles at  
Ten Cents per mile Total \$ 8.60  
TAYLOR WILKINS, Sheriff  
BY J. M. Eastburn  
DEPUTY SHERIFF

Returned 20 day of Sept. 1965  
Not found in my county after diligent search and in-  
quiry. as to John W. Styron  
Taylor Wilkins, Sheriff  
By J. M. Eastburn  
Deputy Sheriff

EMMIE STOVALL CARTER,  
Plaintiff,

VS

JOHN W. STYRON and  
JOHN W. STYRON, JR.,  
Defendants.

trust of merged store

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COMPLAINT

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EMMIE STOVALL CARTER,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
JOHN W. STYRON and	X	AT LAW NO. 6665
JOHN W. STYRON, JR.,	X	
Defendants.	X	

ANSWERS TO INTERROGATORIES

Comes now the Plaintiff and for answer to the interrogatories heretofore propounded to her, says as follows:

TO INTERROGATORY NO. 1:

My name is Emmie Stovall Carter and my address is 608 Park Avenue, Cloverdale, Montgomery, Alabama.

TO INTERROGATORY NO. 2:

I came into the sole possession of the property described in Interrogatory No. 1 on the 26th day of December, 1951, by virtue of a deed from Emma Jones Carter and Elizabeth Carter Land. I have been in possession of said land from that time up to the present time. I entered into an agreement with John W. Styron, a tenant on the property, to permit him to use the property rent free in consideration of his fencing the property in. This agreement expired during the year 1962 and my agent and brother-in-law, John B. Land, now deceased, collected for me from the said John W. Styron the sum of \$125.00 about the year 1962.

TO INTERROGATORY NO. 3:

My Mother, Emma Jones Carter, and my sister, Elizabeth Carter Land and I, had three parcels of land left to us by my Father, John C. Carter, deceased, by Will. On the 26th day of December, 1951, by division deed this parcel of land was deeded to me by the other two heirs.

TO INTERROGATORY NO. 4:

The said John W. Styron rented the property as a tenant, recognizing me as landlord, and the character of his possession never changed. At no time have I ever acknowledged that he was anything other than my tenant.

I regularly assessed said property for annual ad valorem taxes, and each year I paid the ad valorem taxes levied thereon.

Some years ago I was contacted by the State of Alabama regarding a right-of-way deed and conveyed a portion of the subject property for this right-of-way. This deed, I believe, is recorded in the Probate Office of Baldwin County, Alabama.

My brother-in-law, the said John B. Land, now deceased, had charge of the lease and rental of this land for me; and he frequently visited the land and viewed the same as my agent and in my behalf.

TO INTERROGATORY NO. 5:

I have never cultivated the land described above. As a matter of fact, I am in the employ of the State of Alabama, Tax Division, and have been for a period of almost thirty years. I had pines on the land and did not want to cultivate it. The land is most susceptible to use as timber lands and woods grazing of cattle.

TO INTERROGATORY NO. 6:

My brother-in-law, John B. Land, acting as agent for the owners, by agreement with John W. Styron, authorized Styron to fence this property, and as payment for building a fence thereon by John Styron, it was agreed that he might use this land for a period of time to pay for the fencing of the land.

TO INTERROGATORY NO. 7:

Answer as given to Interrogatory No. 6.

TO INTERROGATORY NO. 8:

Twenty years ago, more or less.

TO INTERROGATORY NO. 9:

The agreement with Styron as to the fencing of the land was not in writing.

TO INTERROGATORY NO. 10:

Answer as above.

TO INTERROGATORY NO. 11:

My sister, Elizabeth Carter Land, was present when the agreement was reached between my brother-in-law, John B. Land, as agent for the owners, and John Styron and his son, Bill Styron. Her address is 608 Park Avenue, Cloverdale, Montgomery, Alabama.

TO INTERROGATORY NO. 12:

Yes.

TO INTERROGATORY NO. 13:

John Styron paid my brother-in-law, John B. Land, the sum of \$125.00 for that period of time between the time that the fencing of the land was paid for, up to 1962.

TO INTERROGATORY NO. 14:

It was paid by check.

TO INTERROGATORY NO. 15:

Yes.

TO INTERROGATORY NO. 16:

Oral. In August or September of 1962 I personally prepared a lease and forwarded same to John W. Styron. I received a letter in reply saying that he would not sign the lease, for the price was too much.

TO INTERROGATORY NO. 17:

See Answer to interrogatory No. 16.

INTERROGATORY NO. 18:

Around 1952, and after I received a deed to the property,

my sister and brother-in-law acting as my agent leased the property to John Styron for five years in consideration of his building and maintaining the same. In 1962 he paid five years back rent but shortly after that he refused to lease further at the price I asked.

TO INTERROGATORY NO. 19:

My sister, Elizabeth Carter Land, and my niece, Burke McGonigal, witnessed the oral agreement between my brother-in-law, John B. Land, and John W. Styron as to the lease of this forty (40) acres for the period of more than one year beginning in 1963 at an annual rental of \$125.00.

TO INTERROGATORY NO. 20:

Answered by Answer to Interrogatory No. 19 above.

TO INTERROGATORY NO. 21:

John W. Styron paid rent by fencing of the forty (40) acres and a check for \$125.00 paid sometime in the fall of 1962. He agreed to rent said land at a rental of \$125.00 a year, at the Motel in 1962.

TO INTERROGATORY NO. 22:

As indicated in prior interrogatories, it was by check, and by agreeing to fence the land.

TO INTERROGATORY NO. 23:

Yes, I have been in possession of the forty (40) acres ever since it was deeded to me in 1951, throughout the occupancy of John Styron as my tenant.

TO INTERROGATORY NO. 24:

The property belonged to me and I hold the record title to the land. John Styron, or his son, John Styron, Jr., was using said property as my tenants.

TO INTERROGATORY NO. 25:

Answer as above.

TO INTERROGATORY NO. 26:

It is my contention that Defendant John W. Styron, began to unlawfully detain possession of this property after refusing to sign a lease at \$125.00 a year. After he refused to pay any further rent, I wrote him a letter informing him that his right to the possession of the property had terminated because of his failure to pay rent. My first knowledge that he was claiming ownership to this property was when my brother, Judge Eugene W. Carter, of Montgomery, called on him for the rent for the last two years, and he referred him to his lawyer, Forest A. Christian, of Foley, Alabama, who informed my brother that Styron was claiming this property. This was the first time I knew of his claim.

Emmie Stovall Carter

Emmie Stovall Carter

STATE OF ALABAMA

MONTGOMERY COUNTY

Before me, the undersigned authority, personally appeared Emmie Stovall Carter, who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That she has read the foregoing answers to interrogatories propounded to her in the above styled cause and they are true and correct.

Emmie Stovall Carter

Emmie Stovall Carter

Sworn to and subscribed before me

this 15 day of November, 1965.

Gathan Rubin

Notary Public, Montgomery County, Alabama


FILED  
JAN 24 1966  
WILLIE J. DUCK, CLERK  
REGISTER

EMMIE STOVALL CARTER,	X	
PLAINTIFF,	X	IN THE CIRCUIT COURT OF
VS:	X	BALDWIN COUNTY, ALABAMA
	X	AT LAW
JOHN W. STYRON and	X	
JOHN W. STYRON, JR.,	X	CASE NO. 6665
DEFENDANTS.	X	

JOHN W. STYRON,  
Comes now the Defendant/in the above styled cause and propounds  
the following interrogatories to the Plaintiff:

1. Is your name EMMIE STOVALL CARTER?
2. When were you last in possession of the following described property, situated in the County of Baldwin, State of Alabama, to wit:  
  
The Southwest Quarter of the Northeast Quarter of Section 26, Township 8 South, Range 3 East, of St. Stephens Meridian, in Baldwin County, Alabama.?
3. If you state you were in possession, state how you were in possession.
4. How did you show and exercise this possession?
5. Have you ever cultivated the lands described above?
6. Have you ever leased said lands?
7. If so, to whom?
8. When?
9. If you state that you leased the lands, was this agreement in writing?
10. If it was in writing, please attach a copy of the lease agreement.
11. If it was an oral agreement, please state the substance of the oral agreement, approximate date thereof, and the names and addresses of witnesses, if any.
12. Has anyone ever paid you any rent on the forty acres described above?
13. If so, when and who?
14. Was payment made by cash, check, share of crop or otherwise?
15. Have you ever leased said property to JOHN W. STYRON, one of the Defendants?


16. If so, was this lease in writing or oral?
17. If written, please attach a copy of said lease.
18. If oral, please give time, place and approximate date or substance of said oral agreement.
19. If an oral agreement, was there any witnesses to said oral agreement?
20. If so, who are they?
21. Has JOHN W. STYRON ever paid you any rent?
22. If so, was it cash, check, share of crop or otherwise?
23. Have you ever been in possession of said forty acres described above since August 29, 1963?
24. If so, please give basis of said possession?
25. If so, please give dates of said possession?
26. On what approximate date did the Defendant, JOHN W. STYRON, begin to "unlawful detain" possession of this property described above.

  
Forest A. Christian, Attorney for the  
Defendant, John W. Styron.

STATE OF ALABAMA, )

BALDWIN COUNTY. )

Personally appeared before me, the undersigned authority, FOREST A. CHRISTIAN, who being first duly sworn deposes and says that he is the attorney of record for the Defendant, JOHN W. STYRON, in the above styled cause, and that the answer to the above and foregoing interrogatories, if well and truly made, will be material evidence for the Defendant on a trial of this cause.

  
Forest A. Christian, Attorney for the  
Defendant, John W. Styron.

Sworn to and subscribed before me on  
this the 15<sup>th</sup> day of October, 1965.

  
Notary Public  
Baldwin County, Alabama

My Commission Expires June 5, 1968

FILED

OCT 20 1965

ALICE L. DICK CLERK  
REGISTER

we do hereby accept  
service of a copy of  
the within interrogatory  
this the 20<sup>th</sup> day of  
October, 1965.

Chas. S. Chas.  
by John E. Chas.

FILED

OCT 20 1965

CLERK  
REGISTER

JOHN A. STONE

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon John W. Styron and John W. Styron, Jr., to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of Emmie Stovall Carter.

Witness my hand this 30 day of Aug,  
1965.

W. J. Stuck  
Clerk

EMMIE STOVALL CARTER,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

vs.

X

BALDWIN COUNTY, ALABAMA

JOHN W. STYRON and  
JOHN W. STYRON, JR.,

X

AT LAW

Defendants.

X

X

COMPLAINT

The Plaintiff sues to recover possession of the following tract of land:

The Southwest Quarter of the Northeast Quarter  
of Section 26, Township 8 South, Range 3 East,  
of St. Stephens Meridian, in Baldwin County,  
Alabama.

of which she was in possession, and upon which, pending such possession, and before the commencement of this suit, the Defendants entered and unlawfully withholds, together with Three

Hundred and Seventy-five Dollars (\$375.00) for the detention thereof.

CHASON, STONE & CHASON

John Earle Chason  
Attorneys for Plaintiff

The Plaintiff respectfully requests a trial by jury of this cause.

CHASON, STONE & CHASON

By:

John Earle Chason

FILED

NOT RECORDED

REGISTER

EMILIE STONAVITZ CYRIL

Defendants  
JOHN M. STONAVITZ  
JOHN M. STONAVITZ

COMPLAINANT

220-6665

EMMIE STOVALL CARTER,  
Plaintiff,

vs

JOHN W. STYRON and  
JOHN W. STYRON, JR.,  
Defendants.

COMPLAINT

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CHESON, STONE & CHESON

Plaintiff.

Hundred and seventy-five dollars (\$375.00) for the redemption

*John W. Styron, Jr.*  
Attorney for Plaintiff

and Plaintiff respectfully requests a trial by jury of this

*after 6/2/65*

EMMIE STOVALL CARTER,	X	
	X	IN THE CIRCUIT COURT OF
PLAINTIFF,	X	BALDWIN COUNTY, ALABAMA
VS:	X	AT LAW
JOHN W. STYRON and	X	CASE NO. 6665
JOHN W. STYRON, JR.,	X	
DEFENDANTS.	X	

ANSWER

The Defendant, JOHN W. STYRON, for answer to the Complaint, saith that he is not guilty of the matters alledged therein.

The Defendant claims the uninterrupted occupation of the premises in controversy for the space of three entire years preceeding the exhibition of said complaint, Defendant's estate being undetermined, which is a bar to any proceedings in this cause.

*Forest A. Christian*

Forest A. Christian, Attorney for  
Defendant, John W. Styron

The Defendant respectfully demands trial by jury.

*Forest A. Christian*

Forest A. Christian, Attorney for  
Defendant,  
John W. Styron

FILED  
OCT 14 1933  
ALICE L. DUCK, CLERK  
REGISTER

EMMIE STOVALL CARTER,	℥	
Plaintiff,	℥	
vs.	℥	IN THE CIRCUIT COURT OF
	℥	BALDWIN COUNTY, ALABAMA
JOHN W. STYRON AND	℥	AT LAW CASE NO. 6665
JOHN W. STYRON, JR.,	℥	
Defendants.	℥	

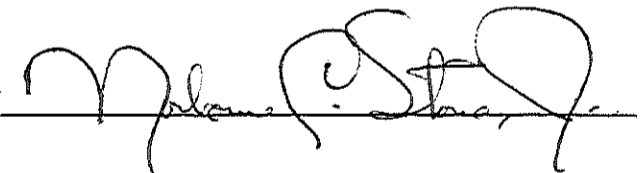
DEMURRER

Comes now the Plaintiff in the above styled cause, by her attorneys, and demurs to the Plea or Answer heretofore filed in this cause by the Defendant, John W. Styron, and assigns, separately and severally, the following grounds and support thereof:

1. That said Plea is immaterial.
2. That said Answer is immaterial.
3. The second paragraph of said Plea or Answer attempts to set up some matter in bar which is inappropriate to the Plea under the provisions of Title 7, Section 941 of the Code of Alabama.

Respectfully submitted,  
CHASON, STONE & CHASON

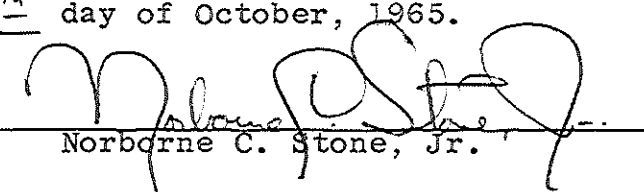
By



CERTIFICATE OF SERVICE

I, Norborne C. Stone, Jr., one of the attorneys of record for the Plaintiff in the above styled cause, do hereby certify that I have this day served a copy of the foregoing Demurrer on Hon. Forest A. Christian, attorney for the Defendant, John Styron, by mailing a copy of the same to him by United States mail, postage prepaid and properly addressed to him at his office in Foley, Alabama.

Witness my hand this 19<sup>th</sup> day of October, 1965.

  
Norborne C. Stone, Jr.

FILED

OCT 20 1965

CLERK  
REGISTER