

LEE R. COURTRIGHT,
Plaintiff,

-vs-

BOATYARD TIMBER COMPANY,
Defendant.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

INTERROGATORIES PROPOUNDED BY THE PLAINTIFF TO THE DEFENDANT:

FIRST: Did you at any time within the next preceding year through your agents or employees, cut any timber on the southwest quarter of the Northwest quarter of Section 24, Township 7 South, Range 2 East, Baldwin County, Alabama? If you state that your agents or employees did cut any timber on said lands, then please state ^{their names and} whether they were acting under your instructions or direction.

SECOND: If you have stated that either you or your agents or employees cut timber on said land, then please state when you cut said timber, also state how many trees you cut, and the kind of said trees and the size thereof.

THIRD: If you have stated that either you or your agents or employees acting under your authority cut any timber on said lands, please state whether you sold the same. If sold, to whom did you sell it? How much timber did you sell and for what price did you sell it?

FOURTH: If you have stated that you or your agents or employees cut any timber on said lands at any time within the next preceding year, please state whether you sold the same? If so, to whom did you sell it? What was the consideration of said sale? What consideration did you receive for said timber?

Jesse F. Hogan
Attorney for Plaintiff

STATE OF ALABAMA,
COUNTY OF MOBILE.

Before me, K. C. Cuthbert, a Notary Public in and for said county in said State, personally appeared Jesse F. Hogan, who is known to me, who being by me first duly sworn deposes and says that he is the attorney of record for the Plaintiff; that he desires to take the testimony of the defendant in this suit, and that the answers of the Defendant to the foregoing interrogatories will be material testimony for the plaintiff in this cause.

Jesse F. Hogan

Subscribed and sworn to before me
this 20th day of June, 1936.

K. C. Cuthbert
Notary Public, Mobile County, Alabama.

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JUN 24 1936
U.S. DEPT. OF JUSTICE
RECEIVED
JUN 24 1936
U.S. DEPT. OF JUSTICE

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JUN 24 1936
U.S. DEPT. OF JUSTICE

Filed this 24 day June 1936
Robert S. Duck
Clerk-Register

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U.S. DEPT. OF JUSTICE

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LEE R. COURTRIGHT,

Plaintiff,

-vs-

BOATYARD TIMBER COMPANY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. No. _____

1st. The Plaintiff claims of the Defendant the sum of \$5,000.00 for that, the Defendant, acting through its agents or employees, whose names are otherwise unknown to the Plaintiff, willfully and knowingly on divers days subsequent to January 1st, 1936, and prior to the filing of this suit, cut down 500 trees, being pine or oak trees on land that was not his own, towit, the Southwest quarter of the Northwest quarter of section 24, Township 7 South, Range 2 East, Baldwin County, Alabama, without the owner's consent, and that the Plaintiff was then and there the owner of said land, all to Plaintiff's damage, as aforesaid.

2nd. The Plaintiff claims of the Defendant \$5,000.00 damages for a trespass by the Defendant acting through its agents or employees whose names are otherwise unknown to the Plaintiff, on the following tract of land, viz: The Southwest quarter of the Northwest quarter of section 24, Township 7 South, Range 2 East, Baldwin County, Alabama belonging to the Plaintiff, and for cutting the timber thereon on divers days subsequent to January 1st, 1936, and prior to the filing of this suit.

3rd. The Plaintiff claims of the Defendant \$5,000.00 as damages for a trespass by the Defendant acting through his agents or employees, whose names are otherwise unknown to the Plaintiff, on the following tract of land, viz: The Southwest quarter of the Northwest quarter of section 24, Township 7 South, Range 2 East, Baldwin County, Alabama, in the possession of the plaintiff, and for cutting the timber thereon on divers days subsequent to January 1st, 1936, and prior to the filing of this suit.

4th. The Plaintiff claims of the Defendant the sum of \$5,000 as damages, for the conversion by him on divers days subsequent to

January 1st, 1936, and prior to the filing of this suit, of the following chattels, viz: 500 trees cut by either his agents or employees on the Southwest quarter of the Northwest quarter of section 24, Township 7 South, Range 2 East, Baldwin County, Alabama, the property of the Plaintiff.

5th. The Plaintiff claims of the Defendant \$5,000.00 due from him for money upon towit, divers days subsequent to January 1st, 1936, and prior to the filing of this suit, received by the Defendant to the use of the Plaintiff, which sum of money with interest thereon is still unpaid.

Jesse L. Hogan
Attorney for Plaintiff

Note: Plaintiff demands a jury trial of the foregoing cause.

Jesse L. Hogan
Attorney for Plaintiff

STATE OF ALABAMA,
Baldwin County.

No. 272 CIRCUIT

JUNE 24th, 1936

To Any Sheriff of the State of Alabama :

You are hereby commanded to summon BOATYARD. TIMBER COMPANY,

to appear and plead, answer or demur, within thirty day from the service hereof, to the Complaint filed in
the Circuit Court of Baldwin County, State of Alabama at Bay Minette, Ala., against BOATYARD

TIMBER COMPANY

Defendant

by

LEE R. COURTRIGHT,

Plaintiff

Witness my hand this 24th day of June 1936.

Robert S. Duck Clerk.

COMPLAINT

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

Plaintiff's Attorney.

RECORDED

Duck

7-503

272

STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

LEE R. COURTRIGHT,

PLAINTIFF

VS.

BOATYARD TIMBER COMPANY,

DEFENDANT

Summons and Complaint

Filed, June 24th, 1936

Robert A. Duck, Clerk.

Defendant Lives at

Plaintiff's Attorney.

Defendant's Attorney

MOORE PRINTING CO., BAY MINETTE, ALA.

RECEIVED IN OFFICE

June 24, 1936

W. H. Wilkins, Sheriff

I have executed this Writ

this *July 7*, 1936
by leaving a copy of the within Summons and
Complaint with

*W. D. Owen as
President of Boatyard
Timber Co.*

W. H. Wilkins, Sheriff.
C. N. Anderson, Deputy Sheriff.

Lee R Countreft

vs
Backyard Timber Co

} Circuit Court Baldwin
County Ala
at Law

Comes the defendant in the above
styled cause and answering plain-
tiffs complaint says:

a. The matters herein alleged are
untrue

b. He is not guilty of the matters
alleged

272

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8-286

Unsum

Filed Aug 19, 1937

Ord Duch-
Clark.

LEE R. COURTRIGHT,
Plaintiff,
VS.
BOATYARD TIMBER COMPANY,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
AT LAW.

Comes the Defendant in the above styled cause and demurs to the Plaintiff's complaint and for grounds thereof says:

FIRST:

There is a misjoinder of counts in that Count One is in debt, Counts Two and Three are in trespass, Count Four is for conversion, and Count Five is in assumpsit.

SECOND:

There is a misjoinder of counts in the said complaint because Count One is in debt, Counts Two, Three and Four are in tort, and Count Five in assumpsit.

THIRD:

There is a misjoinder of counts in the said complaint because Count One is in debt and Counts Two, Three and Four are in tort.

FOURTH:

There is a misjoinder of counts in the said complaint because Count One is in debt and Count Five is in assumpsit.

FIFTH:

There is a misjoinder of counts in the said complaint because Counts Two, Three and Four are in tort and Count Five is in assumpsit.

SIXTH:

There is a misjoinder of counts in the said complaint because said complaint joins a count in conversion, namely Count Four, with a count in debt, namely Count One, and a count in trespass, namely Counts Two and Three.

SEVENTH:

There is a misjoinder of counts in the said complaint

because said complaint joins a count in assumpsit, namely Count Five, and a count in debt, namely Count One, and a count in tort, namely Counts Two and Three.

EIGHTH:

There is a misjoinder of counts in the said complaint because said complaint joins counts in debt, trespass, conversion and assumpsit.

NINTH:

There is a misjoinder of counts in said complaint because Count One is in debt, Counts Two and Three in trespass, Count Four in conversion, and Count Five in assumpsit, and it does not appear from the said complaint that the matters complained of in each of the said counts arose out of the same transaction or relate to the same subject matter.

TENTH:

There is a misjoinder of counts in the said complaint because said complaint joins counts in actions ex delicto and ex contractu, and it does not appear from the said complaint that said actions arose out of the same transaction or relate to the same subject matter.

ELEVENTH:

There is a misjoinder of actions in the said complaint because the said complaint joins actions ex delicto and ex contractu, and it does not appear from said complaint that the said actions arose out of the same transaction or relate to the same subject matter.

TWELFTH:

There is a misjoinder of causes of action in the said complaint because Count Five claims money received by the Plaintiff for use of the Defendant and is joined with other actions ex contractu and ex delicto and it does not appear from the said complaint that the action complained of in Count Five grew out of the same transaction or relate to the same subject matter as the other actions complained of in the said Counts One, Two, Three and Four.

Bebe, Hall & Bebe
Attorneys for the Defendant.

RECORDED

Such

7-503

DEMURRERS

LEE R. COURTRIGHT,

Plaintiff,

VS.

BOATYARD TIMBER COMPANY,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

Filed this

21 day *July* 19*36*

Robert S. Beck

Clerk-Register

THE STATE OF ALABAMA,
Baldwin County.

No. 272

CIRCUIT COURT

4all

Term. 1938

To Any Sheriff of the State of Alabama, Greeting:

You are hereby commanded, That of the goods and chattels, lands and tenements of

Lee R. Counting

Plaintiff___in the suit,

you cause to be made the sum of _____ Dollars,

costs of suit, created by said Plaintiff____, for that, whereas, on the _____/3_____ day of

-----August-----1938, the said Plaintiff-----recovered by the Judgment of the said Circuit Court

of said County against Dismissed for want of representation

Portwood Timber Co. Defendant.

to the suit, the sum of _____ Dollars,

besides Twelve & 40/100 612 40 Dollars, costs of suit;

~~upon which Judgment an Execution has been issued and returned by the Sheriff, "No property found."~~

AND HAVE YOU THAT MONEY ready to render to R. S. Duck

Clerk of said Court, and make return of this Writ and the Execution thereof, according to law.

Witness my hand this 16 day of September 1938

R. S. Duck

Clerk

[illegible]

No. 272

Page _____

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT

Lee R. Countright

Plaintiff

vs.

Boatyard & Shipyard Co.

Defendant

Civil Execution for Costs
Against Plaintiff

Costs

\$ 12.40Civil Fee Book Consid Page 272Execution Docket Consid Page 272Filed Sept. 16, 1938, 193R. S. Duane Clerk.James T. Hogan
Plaintiff's AttorneyBurke Hall & Burke
Defendant's Attorney

COLLECTION COSTS FROM

The State of Alabama, {
BALDWIN COUNTYI hereby certify that the within
and costs in this case are correct, and there was
waiver of exemption as to personal prop-
erty under the Constitution and Laws of Ala-
bama.

This _____ day of _____ 193_____

Clerk.

Received in office

16thSept 1938M. H. Wilkins

Sheriff

Sheriff's Execution Docket, Page 166

Sheriff's Fee Book, _____ Page _____

Returned 11-17-38 no
property of Lee R. Countright
found in Baldwin County
M. H. Wilkins
Sheriff

Sheriff

THE STATE OF ALABAMA,
Baldwin County.

{ By virtue of the within execution, I have at _____

o'clock, --- M., this _____ day of _____ 193_____ levied