

404

J. M. Card Lumber Company,  
a corporation,

Plaintiff,

Vs.

Tobe Johnson,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
21ST JUDICIAL CIRCUIT,  
AT LAW.

The plaintiff sues to recover possession of the following tract of land lying, situate, and being in Baldwin County, Alabama, and more particularly described as follows:

10 acres more or less in the Northwest corner of the West half of Northwest quarter of Section 1, Township 3 North, Range 2 East, said 10 acres lying adjacent to and South of the Alabama River, and adjacent to and East of the Section line dividing Sections 1 and 2 of said Township and Range, and being enclosed by a fence erected by defendant and upon which said defendant now resides,

of which he was in possession, and upon which, pending such possession, and before the commencement of this suit, the defendant entered and unlawfully withholds, together with \$500.00 for the detention thereof.

Stevens McConry, Michael H. Hord & James  
Attorneys for Plaintiff.

FILED 1937  
Serving copy of within Summons and  
Plaint on

State Johnson

M. H. McLeod Sheriff  
A. H. Goode Deputy Sheriff

(original) RECORDED  
8-170  
Little River

Johnson  
old river  
J. M. CARD LUMBER COMPANY,  
a Corporation, Plaintiff,

vs.

TOBE JOHNSON, Defendant.

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

COMPLAINT  
&  
SUMMONS.

Filed Nov 26 1937  
W. H. Goode

STEVENS, McCORVEY, McLEOD, GOODE & TURNER  
ATTORNEYS AT LAW  
NINTH FLOOR, MERCHANTS NATIONAL BANK BUILDING  
MOBILE, ALABAMA

J. M. CARD LUMBER COMPANY,  
a Corporation,

Plaintiff,

VS.

TOBE JOHNSON,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NUMBER 404.

DEMURRER.

Now comes the Defendant by his attorney, and for demurrer to the Complaint filed in said cause sets down and assigns separately and severally the following grounds, to-wit:

1. It does not state a cause of action.
2. The description contained in the Complaint is so vague, indefinite and uncertain that a valid judgment cannot be rendered thereon.
3. The description contained in the Complaint is so vague, indefinite and uncertain that the lands cannot be definitely located.

J. B. Blashburn  
Attorney for Defendant.

Defendant demands a trial of said cause by jury.

J. B. Blashburn  
Attorney for Defendant.

404

*Qued*  
RECORDED  
8-173-

J. M. CARD LUMBER COMPANY,  
a Corporation,

Plaintiff,

VS.

TOBE JOHNSON.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NUMBER 404.

*Filed February 15, 1935*  
*R. S. Duvall, Clerk.*



No. 404

The State of Alabama,  
Baldwin County.

CIRCUIT COURT

Mc Cord Lbr Co

VS

To be Johnson

Judgment.....\$.....

Interest from.....191..\$.....

Cost.....\$1.75

Total.....\$.....

WRIT OF POSSESSION AND FI. FA.

Received in office this..... day of

19.....

Sheriff.

Sheriff's Docket..... page.....

Filed in the office of the Clerk of the Circuit Court this

day of.....19....

Fee Book..... page..... Execution Docket

page.....

Clerk

Plaintiff's Attorney.

Times Print, Bay Minette.

Executed by serving a copy of the following writ of possession on the defendant, To be Johnson, on this 14th day of Oct 1939 at Baldwin County, Alabama. The 10 acres more or less in the North 1/2 of 1/4 of Sec 1, Town 11 N, Range 2 E. Said 10 acres lying adjacent to and east of section line dividing Sec 1 and 2 of said town, 1/4 and 1/2, and being enclosed by a fence erected by defendant and upon which said fences were defendant's own records. The above property being decided in said writ. Returned 11-14-39 to property of To be Johnson found in Baldwin County.

W. M. Stuart Sheriff.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

BY VIRTUE OF THE WITHIN EXECUTION, I HAVE

**THE STATE OF ALABAMA,**  
**Baldwin County.**

No. 404 **CIRCUIT COURT**

Fall Term, 1939

To Any Sheriff of the State of Alabama, Greeting:

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

J M Card Lumber Company, a Corp Plaintiff in the suit,

you cause to be made the sum of seventeen and 50/100 Dollars,

costs of suit, created by said Plaintiff, for that, whereas, on the 21st day of

August 1939, the said Plaintiff recovered by the Judgment of the said Circuit Court

of said County, against Lobe Johnson

Defendant.

to the suit, the sum of property sued for Dollars,

besides seventeen and 50/100 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 5th day of February 1940

R S Duck Clerk

| CLERK'S FEES                                                    |        | Dollars | Cts | SHERIFF'S FEES                                          |        | Dollars | Cts |
|-----------------------------------------------------------------|--------|---------|-----|---------------------------------------------------------|--------|---------|-----|
| For every Summons and Complaint                                 | \$1 25 | 1       | 25  | For Levying an Attachment                               | \$3 00 |         |     |
| Each copy thereof                                               | 30     |         | 30  | Entering and Returning Attachment                       | 25     |         |     |
| Entering a Sheriff's Return                                     | 20     |         | 20  | Summoning Garnishee                                     | 1 50   |         |     |
| Docketing                                                       | 25     |         | 25  | Serving Summons on Writ                                 | 1 50   | 4       | 50  |
| Entering Appearance                                             | 20     |         | 20  | Serving Notice Sci. Fa. Notice, etc.                    | 65     |         |     |
| Filing                                                          | 10     |         | 10  | Serving Subpoenas                                       | 65     |         |     |
| Every Order made in Court                                       | 30     |         |     | Empanelling Jury                                        | 75     |         |     |
| Copy thereof                                                    | 25     |         |     | Entering and Returning Execution                        | 25     |         |     |
| Every Trial with or without Jury                                | 75     |         | 75  | Collecting Costs Execution                              | 1 50   | 1       | 50  |
| Entering up Judgment or copy thereof                            | 30     |         | 30  | Executing a Writ of Possession                          | 5 00   | 5       | 00  |
| Issuing Execution                                               | 50     |         | 50  | Taking and Approving Bonds                              | 1 00   |         |     |
| Docketing Execution                                             | 25     |         |     | Commissions                                             |        |         |     |
| Entering Return on Execution                                    | 20     |         | 20  | Sheriff's Commission for Property Sold Under Attachment |        |         |     |
| Issuing Subpoenas                                               | 30     |         |     | Seizing Personal Property on Writ of Detinue            | 3 00   |         |     |
| Administering Oath                                              | 25     |         |     |                                                         |        | 8       | 00  |
| Issuing Each Attachment Taking Bond                             | 1 00   |         |     |                                                         |        |         |     |
| Filing Attachment                                               | 10     |         |     |                                                         |        |         |     |
| Each Summons for Garnishee                                      | 50     |         |     |                                                         |        |         |     |
| Each copy                                                       | 50     |         |     |                                                         |        |         |     |
| Notice to Deft. in Garnishee on Summons and Copy, per 100 words | 20     |         |     |                                                         |        | 6       | 55  |
| Commissions to take Depositions or copy                         | 75     |         |     |                                                         |        | 8       | 00  |
| Order to Execute Writ of Inquiry                                | 30     |         |     |                                                         |        |         |     |
| Copy of Interrogators, 15c per hundred words or                 | 50     |         |     |                                                         |        |         |     |
| Filing each Deposition and endorsing same                       | 20     |         |     |                                                         |        |         |     |
| Final Record, per hundred words                                 | 15     |         | 350 |                                                         |        |         |     |
| Every Certificate                                               | 50     |         |     |                                                         |        |         |     |
| Taking Bond not otherwise provided for                          | 75     |         |     |                                                         |        |         |     |
| Witness Certificates                                            | 25     |         |     |                                                         |        |         |     |
| Continuance                                                     | 10     |         |     |                                                         |        |         |     |
| Certificate of Judgment                                         | 50     |         |     |                                                         |        |         |     |
| Order of Publication                                            | 1 00   |         |     |                                                         |        |         |     |
|                                                                 |        | 6       | 55  |                                                         |        | 17      | 55  |

6 55  
11.05

FEB - 5 1940

No. 404 Page

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT

Jm Card Lbr Co

a Corp

Plaintiff--

vs.

Tobe Johnson

Defendant--

Civil Execution for Costs  
Against Plaintiff

Costs - - - - - \$17.50

Civil Fee Book - - - - - Page

Execution Docket - - - - - Page

Filed - - - - - 193

Clerk.

Shewen M. Gray, W. York Gordon, Thayer

Plaintiff's Attorney

Moore

Defendant's Attorney

Atty

2-13-40

COLLECTION COSTS FROM

The State of Alabama,  
BALDWIN COUNTY

I hereby certify that the within  
and costs in this case are correct, and there was  
waiver of execution as to personal prop-  
erty under the Constitution and Laws of Ala-  
bama.

This - - - day of - - - 193

Clerk.

Received in office Feb 5-1940

193

W.R. Stewart

Sheriff

Sheriff's Execution Docket, Page

Sheriff's Fee Book, Page

Returned 2-22-40 by  
collecting \$17.50  
to Turner, Danner and  
to Clerk W.R. Stewart

Sheriff

THE STATE OF ALABAMA,  
Baldwin County.

By virtue of the within execution, I have at

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

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

THE STATE OF ALABAMA,  
Baldwin County.

No. 404

CIRCUIT COURT

November

1937

4104

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

TOBE JOHNSON,

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

TOBE JOHNSON, Defendant .. by  
J. M. CARD LUMBER COMPANY, a corporation,

Plaintiff ..

Witness my hand this

26th

day of

November

1937

*[Signature]*

Clerk.

COMPLAINT

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

Plaintiff's Attorney

SUMMONS AND COMPLAINT

MOORE PRINTING CO., DAY MINETTE, ALA.

THE STATE OF ALABAMA,  
Baldwin County.

No. 404

CIRCUIT COURT

November

1937

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

TOBE JOHNSON,

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

TOBE JOHNSON,

Defendant .. by

J. M. CARD LUMBER COMPANY, a corporation,

Plaintiff ..

Witness my hand this 26th day of November 1937

*R. S. Lucas*

Clerk.

COMPLAINT

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

Plaintiff's Attorney.

404

No. \_\_\_\_\_

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

J. M. CARD LUMBER COMPANY,

a corporation,

PLAINTIFF

vs.

TOBE JOHNSON,

DEFENDANT

Summons and Complaint

Filed, November 26<sup>th</sup>, 1937

R. S. Dush, Clerk.

Defendant Lives at \_\_\_\_\_

James, McConary, McLeod,

Wood & Young

Plaintiff's Attorney.

Defendant's Attorney

RECEIVED IN OFFICE

\_\_\_\_\_, 193

\_\_\_\_\_, Sheriff

I have executed this Writ

this \_\_\_\_\_, 193

by leaving a copy of the within Summons and Complaint with \_\_\_\_\_

\_\_\_\_\_, Sheriff.

\_\_\_\_\_, Deputy Sheriff