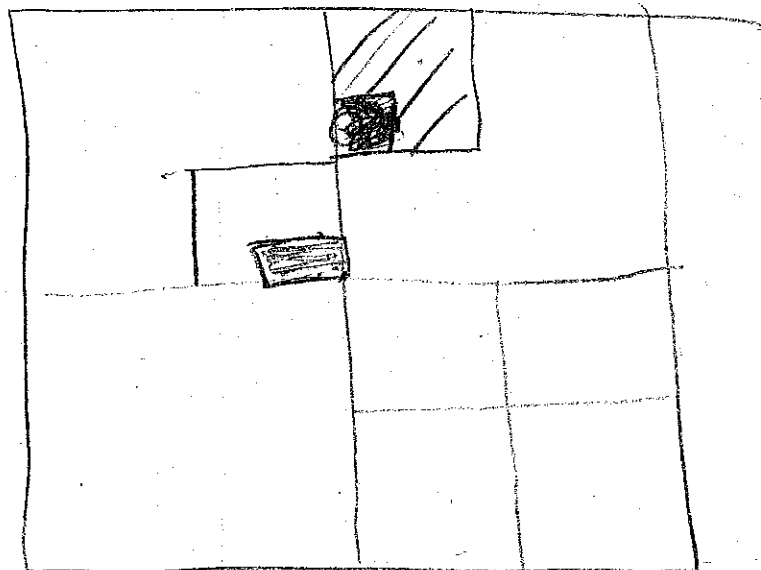


30 - 4V - 4E



1990

W. V. PHILLIPS,
Plaintiff,
VS.
C. C. GANTT,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

AMENDED COMPLAINT

Comes the Plaintiff in the above styled cause and amends his complaint heretofore filed in this cause so that when amended, the said complaint will read as follows:

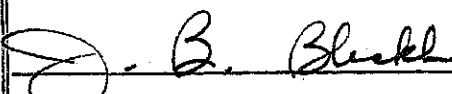
The plaintiff sues to recover possession of the following tract of land, to-wit:

Southwest Quarter of the Northwest Quarter of
the Northeast Quarter of Section 30, Township
4 North, Range 4 East,

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 \$1000.00 for the detention thereof.


Attorney for Plaintiff.

Plaintiff demands a trial of said
cause by jury.


Attorney for Plaintiff.

FILED

5-26-53

ALICE J. DUCK, Clerk

AMENDED COMPLAINT

W. V. PHILLIPS,
Plaintiff,
VS.
C. C. GANTT,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

BOOK 001 PAGE 449

FILED
MAY 26 1953
ALICE J. DUCK, Clerk

*We the jury find for the plaintiff
and assess no damages.*

*Charles M. Tell
Foreman*

JURY LIST

Fall Term, September 14th, 1953

NO.	NAME	OCCUPATION	ADDRESS
1	Fulton E. Duck,	Brookley Field,	Bay Minette
2	Capt. W. P. Wren,	fleet worker,	Bay Minette
3	R. C. Morgan,	farmer,	Robertsdale
4	Holt A. Stuart,	farmer,	Bay Minette
5	J. Leon Palmer,	farmer,	Robertsdale
6	Julio Corte,	farmer,	Belforest
7	Floyd A. Racine,	truck driver,	Robertsdale
8	Fred Cass,	clerk,	Foley
9	Charles Fell,	Brookley Field,	Fairhope
10	David Barnhill,	farmer,	Loxley
11	John Blocht,	farmer,	Foley
12	Andy McDaniel,	farmer,	Robertsdale
13	Clarence Harrison,	fisherman,	Bon Secour
14	Floyd Emmons,	florist,	Bay Minette
15	Homer Flowers,	farmer,	Bon Secour
16	Joseph Sopr,	farmer,	Silverhill
17	John A. Sute,	farmer,	Foley
18	Reece McGill,	Brookley Field,	Perdido
19	Louis Davis Moore,	farmer,	Summerdale
20	J. A. Wurst,	bank cashier,	Bay Minette
21	Walter Quinley,	city employee,	Bay Minette
22	C. H. Gilland,	electrician,	Bay Minette
23	Jesse M. Smith,	real estate,	Bay Minette
24	Billy Bozone,	grocery business,	Bay Minette
25	James Lindsey,	real estate,	Bay Minette
26	Lloyd C. Langham,	butcher,	Bay Minette
27	Jack Page,	clerk,	Bay Minette
28	C. H. Griffin,	saw mill,	Bay Minette
29	J. Comer Hammond,	cleaner,	Bay Minette
30	Chester Eubanks,	jeweler,	Bay Minette
31	Woodrow Booth,	P. M. A. office,	Bay Minette
32	Oliver Johnson,	road dept.,	Bay Minette
33	Albert M. Thompson,	merchant,	Bay Minette
34	Bernie Little,	mechanic,	Bay Minette
35	Frank Turner,	county agent,	Bay Minette
36	Robert Miller,	drug clerk,	Bay Minette
37	Joe Stuckey,	saw mill,	Bay Minette
38	Harry I. West,	insurance,	Bay Minette
39	George Noonan,	sign painter,	Bay Minette
40	Thomas B. Hall,	Newport,	Bay Minette
41	May Lawrence,	Se.	

12
29

39
12
27

P XXXXX XXXXX XXXX/X

U. XXXXX XXXXX XXXX/X

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

October Term, 19 54-55

To the Clerk of the Circuit Court,
Baldwin County—Greeting:

Whereas, the Record and Proceedings of the Circuit Court
of said county, in a certain cause lately pending in said Court between
C. C. Gantt, Appellant,
and
W. V. Phillips, Appellee,

wherein by said Court it was considered adversely to said appellant, were brought before our
Supreme Court, by appeal taken, pursuant to law, on behalf of said appellant:

NOW, IT IS HEREBY CERTIFIED, That it was thereupon considered, ordered, and adjudged by
our Supreme Court, on the 7th day of October, 19 54, that said
Judgment of said Circuit Court be in all things
affirmed, and that it was further considered, ordered, and adjudged that the appellant, ~~and~~
C. C. Gantt, and Charles E. Gantt and Ralph F. Gantt,
sureties on the appeal bond, pay - - - - -

the costs accruing on said appeal in this Court and in the Court below

It is further certified that, it appearing that said parties have waived their rights of exemption
under the laws of Alabama, it was ordered that execution issue accordingly.

Witness, J. Render Thomas, Clerk of the Supreme
Court of Alabama, this the 7th day of

October, 19 54

J. Render Thomas
Clerk of the Supreme Court of Alabama.

THE SUPREME COURT OF ALABAMA

October Term, 19 54-55

1st Div., No. 580

C. C. Gantt

Appellant,

vs.

M. V. Phillips

Appellee.

From Baldwin Circuit Court.

CERTIFICATE OF
AFFIRMANCE

The State of Alabama,

Baldwin County.

} Filed

this 11th day of Oct 19 54

Deice J. Hume

THE STATE OF ALABAMA }
Baldwin County - Circuit Court }

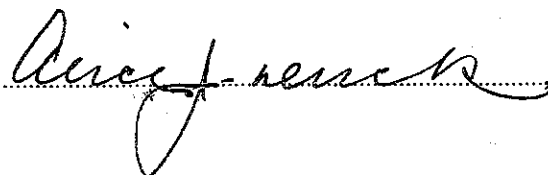
TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

Whereas, at a Term of the Circuit Court of Baldwin County, held on the
17th day of September ~~Monday~~, 19⁵³, in a cer-
tain cause in said Court wherein W. V. PHILLIPS
Plaintiff, and C. C. GANTT
Defendant, a judgment was rendered against said
C. C. GANTT
to reverse which judgment, the said C. C. GANTT
applied for and obtained from this office an APPEAL, returnable to the NEXT
Term of our Supreme Court of the State of Alabama, to be held at Montgomery,
on the 5th day of April, 1954 next, and the necessary bond
having been given by the said C. C. GANTT
with Charles E. Gantt and Ralph F. Gantt, sureties,

Now, You Are Hereby Commanded, without delay, to cite the said
W. V. PHILLIPS or J. B. BLACKBURN
, attorney, to appear at the next Term of our
said Supreme Court, to defend against the said Appeal, if they think proper.

Witness, ALICE J. DUCK, Clerk of the Circuit Court of said County, this 9th
day of November, A. D., 1953.

Attest:

 Clerk.

Received in Sheriff's Office
this 9 day of Sept 1953
TAYLOR WILKINS, Sheriff

James C. J. Phillips

701990

CIRCUIT COURT
Baldwin County, Alabama

W. V. PHILLIPS

Vs. } Citation in Appeal

C. C. GANTT

Issued day of, 194.....

Received day of 1953
and on 12 day of Nov 1953
I served a copy of the within
on

By service on J. B. Black

TAYLOR WILKINS, Sheriff
By J. B. Black D.S.

W. V. PHILLIPS,)	
)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
VS.)	
)	AT LAW
C. C. GANTT,)	
)	
Defendant.)	

DEMAND FOR ABSTRACT

TO C. C. GANTT, OR TO CHASON AND STONE, HIS ATTORNEYS OF RECORD:

Pursuant to the provisions of Title 7, Section 940 of the 1940 Code of Alabama, demand is hereby made upon you for an abstract in writing of the title or titles on which the defendant will rely for defense of this suit.

Dated this 3rd day of September, 1953.

J. B. Blackburn
 Attorney for plaintiff.

I hereby certify that I delivered a copy of the foregoing instrument to Norborne Stone, Esquire, a member of the firm of Chason and Stone, attorneys for the defendant, on this the 3rd day of September, 1953.

FILED

9-3-53

ALICE J. DUCK, Clerk

J. B. Blackburn
 Attorney for plaintiff.

1990

DEMAND FOR ABSTRACT

W. V. PHILLIPS,

Plaintiff,

VS.

C. C. GANTT,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

FILED

SEP 3 1953

ALICE J. DUCK, Clerk

W. V. PHILLIPS,

Plaintiff,

vs.

C. C. GANTT,

Defendant.

I

I

I

I

I

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1990

ORDER OF CONTINUANCE

The Defendant in the above styled cause having this day made a motion for a new trial thereof and the same having been called to the attention of the trial court it is hereby ordered that the above motion be continued and the same is hereby set down for hearing on the 27 day of Oct, 1953.

Done this 13 day of October, 1953.

Hubert M. Hall

H. M. Hall, Judge
Circuit Court, Baldwin County,
Alabama.

~~10-27-53, Motion for new trial denied
after hearing and argument
of respective attorneys
Hubert M. Hall
Judge~~

~~10-27-53: This day came the parties by their attorneys
in the above styled cause, and the defendants
motion to grant a new trial having been
argued by counsel, being now understood,
and being considered by the Court, it is
considered, ordered and adjudged by
the Court that the defendants' motion to
grant him a new trial be and the same
is hereby overruled.~~

~~Hubert M. Hall
Circuit Judge~~

Div. No. _____ CERTIFICATE OF APPEAL (Civil Cases)

No. _____ County, Circuit Court.

W. V. Phillips
Plaintiff
vs.
C. C. Gantt
Defendant

I, Alice J. Duck, Clerk of Circuit Court,
of Baldwin County, Alabama, hereby certify that in the cause of
W. V. PHILLIPS Plaintiff, vs.
C. C. GANTT Defendant,

which was tried and determined in this Court, on the 12th day of September 1953,
in which there was a judgment for _____ Dollars, in favor of the Plaintiff,
(or judgment for Defendant), the Defendant on the 9th day of November
1953 took an appeal to the Supreme Court of Alabama to be holden of and for said State.

I further certify that C. C. Gantt filed
security for cost of appeal, to the Circuit Court, on the 9th day of November
1953, and that C. C. Gantt, Charles E. Gantt, and Ralph F. Gantt
are sureties on the appeal bond.

I further certify that notice of the said appeal was, on the 11 day of November
1953, served on J. B. Blackburn as attorney of record for said
appellee, and that the amount sued for was ~~xxxxxxx~~ Certain land Dollars.
(or certain lands). (or personal property)

Witness my hand and seal of this Court, this the 12th day of November 1953

Clerk of the Circuit Court of

Baldwin County, Alabama

W. V. PHILLIPS,
Plaintiff,
VS.
C. C. GANTT,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 1990

OBJECTIONS TO CERTIFIED TRANSCRIPT

Now comes the Appellee, W. V. Phillips (Plaintiff in the trial Court) and objects to the certified transcript filed in this cause and as Grounds for such objection says:

1. The said certified Transcript is incorrect in that the Plaintiff W. V. Phillips was asked on direct examination the following questions:

"Q. Mr. Phillips, how long did you know Isreal Milton prior to his death?

A. As long back as I could remember - about 47 or 48 years.

Q. Was this George Milton, who together with his wife, Rena Milton, and Mamie Hubbard, formerly Mamie Milton - I will ask you whether or not they constituted all of his heirs on the date these deeds were given?" (Transcript, Page 27)

To which questions the witness, the said Plaintiff, answered "Yes", which said answer is not included in the said transcript.

J. B. Blackum

Attorney for Appellee (Plaintiff)

TO CHASON & STONE

Attorneys for the Appellant (Defendant)

You are hereby notified that the above objection to the certified transcript has been filed on this the 4th day of December, 1953, and that the said objection will be called to the attention of the trial judge at 10:00 o'clock A. M. on December 15, 1953.

J. B. Blackum

Attorney for Appellee (Plaintiff)

12/15/53. Hearing on above Motion Continued until December 18, 1953 at 10.4M, Subst M. W. H. [Signature]

FILED

DEC 2 1953

ALICE : BIA *clerk*

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

You are hereby commanded to summon the Honorable J. B. Blackburn, the Attorney of Record for W. V. Phillips, in that certain cause in the Circuit Court of Baldwin County, Alabama, wherein the said W. V. Phillips was Plaintiff and C. C. Gantt was Defendant, to appear at the next term of the Supreme Court of the State of Alabama, then and there to defend an appeal which the said C. C. Gantt has this day issued out, returnable to said court, to review a judgment which the said W. V. Phillips at the Fall Term 1953 of the Circuit Court of Baldwin County, Alabama, recovered against the said C. C. Gantt and make immediate return of this Writ showing how the same has been executed.

Witness my hand as Clerk of the Circuit Court of Baldwin County, Alabama, and the seal of said Circuit Court, this _____ day of November, 1953.

Alice J. Duck, Clerk, Circuit Court,
Baldwin County, Alabama,
At Law.

STATE OF ALABAMA

BALDWIN COUNTY

SHERIFF'S RETURN

I have executed the within
citation and notice of appeal
by serving a copy of the same
on the Hon. J. B. Blackburn,
Attorney at Law, Bay Minette,
Alabama, this ____ day of November
1953.

Sheriff

BY: _____

Deputy Sheriff

OCT 7 - 1954

THE STATE OF ALABAMA - - - JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

OCTOBER TERM 1954-55

1 Div. 580

C. C. Gantt

v.

W. V. Phillips

Appeal from Baldwin Circuit Court

SIMPSON, JUSTICE.

Phillips recovered of Gantt ten acres of land in Baldwin County in a statutory action of ejectment and Gantt appeals.

The plaintiff's evidence and on which the jury rested its verdict tended to establish the plaintiff's title to the land as follows: Israel Milton and his wife, Jane, acquired the land in about 1908 and were put into possession by their grantors, but the deed to them

2.

misdescribed the property. In 1921 a corrected deed was attempted to be made to Jane Milton, but this also failed to correctly describe the property. Anyway, the Miltons from 1908 until about 1944, when they attempted to convey the land to the plaintiff, had lived on and possessed it in such a way that regardless of any deed they had acquired title to the ten acres by prescription. Thereafter they made a deed to the plaintiff, also incorrectly describing the property, but they put the plaintiff in possession and he remained in the adverse possession of the property for about nine years and until a few months before the lawsuit when the defendant took possession, which precipitated the lawsuit. In March of this same year, after the plaintiff had discovered that his deed did not correctly describe the property, he procured deeds from the heirs of Israel and Jane Milton correctly describing the property. On the basis of this evidence, the jury returned a verdict for the plaintiff and in our view it was well founded.

The evidence for the defendant was, of course, contrary to the above, but we see no need of detailing it, since it was the jury's prerogative to accept that of the plaintiff as correctly describing the status of the title to the ten acres.

Before discussing the several assignments of error, we will mention some established principles which govern the case.

3.

The prevailing rule is that the validity of the deeds received by the plaintiff from the heirs of the Miltons was unaffected by whether or not he or the defendant was in possession when they were executed. The statute, Code 1940, Title 7, § 638 (first appearing in the Code of 1907), abolished the common law rule of champerty and maintenance with respect to that status. - Spredling v. May, 259 Ala. 10 (15), 65 So. 2d 494.

So when the heirs of Israel and Jane Milton conveyed the property to the plaintiff, they invested him with the legal title for the reason that the grantors, as the heirs of the Miltons, inherited the outstanding title from their Milton ancestors, who had acquired a perfect title by prescription, and nothing short of a grant by the titleholder or adverse possession by the opposing grantor and his predecessors in title for the statutory period could divest that title. - Milstead v. Devine, 254 Ala. 442(4), 48 So. 2d 530; Brantley v. Helton, 224 Ala. 93, 96, 139 So. 282.

The trial court and counsel failed to give full effect to this principle in the trial below and seem to have been under the impression that since the plaintiff had not received a proper deed from the elder Miltons, he could only establish his title by tacking his adverse possession to that of the Miltons. But the law is otherwise. The theory of tacking " . . . contemplates a situation where the prior claimant by adverse possession

to the jury. We deduce this from a colloquy which we will refer to between counsel for the respective parties and the court, as well as a certain portion of the court's oral charge. With respect to the colloquy which took place preparatory to a ruling by the court on a motion by the defendant to exclude the deeds from evidence, the following appears:

"THE COURT: Did he show the deed from the heirs to Mr. Phillips?

"MR. STONE [attorney for defendant]: Yes."

Whereupon the court overruled the motion to exclude the deeds. Thereupon Mr. Chason, attorney for the defendant, stated to the court:

"He has not shown in his evidence any connection between the parties who executed these deeds and the two Miltons who they say were in possession."

"THE COURT: If I understand the evidence you have testimony that the Miltons were in possession from 1898?

"MR. BLACKBURN [attorney for plaintiff]: Yes, and we have the testimony of Mr. Phillips that these persons were the heirs of the Miltons. I proved that all the way through.

"MR. CHASON [for defendant]: That these parties that executed the deeds are the only heirs?

"MR. BLACKBURN [for plaintiff]: Yes.

"THE COURT: Overrule the motion."

The foregoing seems to be tantamount to an admission in open court between the parties of the facts contended for by the plaintiff. This is borne out by a portion of the court's oral charge where he stated, "Later on the plaintiff secured a deed from the heirs according to the evidence of those persons (meaning the Miltons) who were in possession."

6.

We hold, therefore, that there was no error in admitting the deeds in evidence.

Defendant also argues for a reversal in the giving of several written charges. But given for whom? The record fails to show and we should not presume for whom the several charges were given. Section 273, Title 7 of the Code sets out the manner in which transcripts should be prepared and this section was not complied with in showing for whom the charges were given or by whom requested. These charges, several in number, merely appear on the separate transcript page after the certificate of the court reporter and are marked given and signed by the trial judge. We do not think this a sufficient compliance with the statute to invite a review of any of the given charges.

We have reviewed refused charges where the record was silent as to whom they were requested by, but that was because only the charges refused to the appellant are required to appear in the transcript. Presuming the clerk complied with the law and set out only the appellant's refused charges, the court with some degree of leniency adopted the rule of undertaking to review such charges. - Jackson v. Burton, 226 Ala. 483, 147 So. 414.

We do find one case, Townsend v. Adair, 223 Ala. 150, 134 So. 637, where there was only one given charge assigned as error, which immediately followed the charge of the court as the statute required, and the court reviewed that charge even though it was silent as to whom it was requested by, but specifically noticed

that "none of the other given charges are assigned as error." To extend the rule further would, in our view, be unwarranted. As a matter of fact, it is not a valid presumption that any number of charges first appearing in the transcript were given at the request of the plaintiff, for the plaintiff might not have requested any charges or the trial court might not have given any if requested for him. We hold, therefore, that the charges are not subject to review. For analogy see Boswell v. Land, 217 Ala. 39(4), 114 So. 470.

The appellant also argues as error to reverse the action of the court in allowing the plaintiff to testify that during the forty-year period of time that Israel Milton lived on this ten acres of land involved in this suit he claimed to own it. The argument is made that the testimony was invasive of the province of the jury as calling for a conclusion or opinion of the witness, citing Aikin v. McMillan, 213 Ala. 494, 106 So. 150, and other cases. The cases cited are not factually similar to the one at bar, but without determining the soundness of the proposition advanced, it is sufficient to avert error by noticing that the defendant interposed no objection pending trial on the stated ground. - Birmingham Ry., L. & P. Co. v. Moseley, 164 Ala. 111, 51 So. 424.

Finally, it is insisted by appellant that the court erroneously allowed the plaintiff to introduce in evidence certain tax receipts showing the payment of taxes by the plaintiff on the ten acres because they appear to

8.

be made from escape assessments. In this we perceive no error. An escape assessment made by a party in good faith while in possession of the property or a receipt showing such payment would be admissible as evidencing the plaintiff's claim of ownership, just as any other assessment or receipt.

We have given studious consideration to the case in the light of argument of counsel and find no reversible error.

Affirmed.

All the Justices concur.

THE STATE OF ALABAMA—JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

1st Div., No. 580,

C. C. Gantt, Appellant

vs.

W. V. Phillips, Appellee,

From Baldwin Circuit Court.

The State of Alabama,
City and County of Montgomery, }

I, J. Render Thomas, Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing pages, numbered from one to eight inclusive, contain a full, true and correct copy of the opinion of said Supreme Court in the above stated cause, as the same appears and remains of record and on file in this office.

Witness, J. Render Thomas, Clerk of the Supreme
Court of Alabama, this the 7th day of

October, 1954

J. Render Thomas
Clerk of the Supreme Court of Alabama

THE SUPREME COURT OF ALABAMA

October Term, 1954-55

1st Div., No. 580

C. C. Gantt

Appellant,

vs.

W. V. Phillips

Appellee.

From Baldwin Circuit Court.

COPY OF OPINION

SKINNER

W. V. PHILLIPS,

Plaintiff,

vs.

C. C. GANTT,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1990.

PLEA

Comes now the Defendant, C. C. Gantt, by his attorneys,
and for answer to the Complaint filed against him says;

Not guilty.

FILED

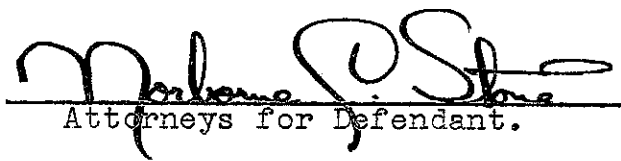
5-27-53

ALICE J. DUCK, Clerk

Respectfully submitted

CHASON AND STONE

BY:


Attorneys for Defendant.

W. V. PHILLIPS,

Plaintiff,

vs.

C. C. GANTT,

Defendant.

PLEA

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1990.

FILED
MAY 27 1953
ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

W. V. PHILLIPS,

Plaintiff,

vs.

C. C. GANTT,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1990.

DISCLAIMER

Comes now the Defendant, by his Attorneys, and for answer to the Complaint heretofore filed against him says that he is not in possession of the property sued for, to-wit, in the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of Section 20, Township 4 North, Range 4 East, and neither was he in possession of said property at the time of the commencement of this suit. And the Defendant, for further answer, denies that he has entered said property and unlawfully withholds the same or that he has damaged the Plaintiff in any amount by the detention thereof.

FILED

5-26-53

ALICE I. DUCK, Clerk

Respectfully submitted

CHASON AND STONE

BY:


 Attorneys for Defendant.

DISCLAIMER

W. V.. PHILLIPS,

Plaintiff,

vs.

C. C. GANTT,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1990

FILED

MAY 26 1953

ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

W. V. PHILLIPS,	I	
Plaintiff,	I	IN THE CIRCUIT COURT OF
vs.	I	BALDWIN COUNTY, ALABAMA
C. C. GANTT,	I	AT LAW.
Defendant.	I	

DEMAND FOR ABSTRACT

TO W. V. PHILLIPS, OR TO J. B. BLACKBURN, HIS ATTORNEY OF RECORD:

Pursuant to the provisions of Title 7, Section 940 of the 1940 Code of Alabama, demand is hereby made upon you for an abstract in writing of the title or titles on which the Plaintiff will rely for defense of this suit.

Dated this 3rd day of September, 1953.


 Attorney for Defendant.

I hereby certify that I delivered a copy of the foregoing instrument to J. B. Blackburn, Esquire, the attorney of record for the Plaintiff, on this the 3rd day of September, 1953.


 Attorney for Defendant.

FILED

9-3-54

ALICE J. DUCK, Clerk

W. V. PHILLIPS,

Plaintiff,

vs.

C. C. GANTT,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

DEMAND BY THE DEFENDANT OF THE
PLAINTIFF FOR ABSTRACT OF TITLE

FILED
SEP 3 1953
ALICE L. DUCK, Clerk

LAW OFFICES
CHASON & STONE
BAY MINETTE, ALABAMA

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons C. C. Gantt 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 W. V. Phillips.

WITNESS my hand this 11th day of May, 1953.

Alice J. Duck
Clerk.

W. V. PHILLIPS,)
Plaintiff,)
VS.)
C. C. GANTT,)
Defendant.)

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

COMPLAINT

The plaintiff sues to recover possession of the following tract of land, to-wit:

Southwest Quarter of the Northwest Quarter of
the Northeast Quarter of Section 20, Township
4 North, Range 4 East,

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 \$1000.00 for the detention thereof.

J. B. Bluck
Attorney for Plaintiff.

Plaintiff demands a trial of said
cause by jury.

J. B. Bluck
Attorney for Plaintiff.

FILED

5-11-53

ALICE J. DUCK, Clerk

this 11 day of May 1953
TAYLOR WILKINS, Sheriff

COMPLAINT

W. V. PHILLIPS,

Plaintiff,

VS.

C. C. GANTT,

Defendant.

Received day of 19
and on 13 day of May 1953
I served a copy of the within
on

By service on C. C. Gantt

TAYLOR WILKINS, Sheriff
By P. J. Williams, D. S.

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

FILED
MAY 11 1953
ALICE J. DUCK, Clerk

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA