

|                 |   |                         |          |
|-----------------|---|-------------------------|----------|
| ROSA WORCESTER, | X |                         |          |
|                 |   | IN THE CIRCUIT COURT OF |          |
| Plaintiff,      | X |                         |          |
| vs.             | X | BALDWIN COUNTY, ALABAMA |          |
| SAM BETTNER,    | X |                         |          |
|                 |   | AT LAW                  | NO. 8972 |
| Defendant.      | X |                         |          |

DEMURRER TO ANSWER

Comes now the Plaintiff in the above styled cause, by her attorneys, and demurs to the answer heretofore filed by the Defendant and to each paragraph thereof, separately and severally, and assigns the following separate and several grounds:

1. The matters alleged in paragraph three of the answer are immaterial.
2. The matters alleged in paragraph three of the Defendant's answer constitute no defense against the Plaintiff's cause of action.

Respectfully submitted,

CHASON, STONE & CHASON

By *Richard E Ball*  
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 3rd day of March, 1970.

*Richard E Ball*

**FILED**

MAR 3 1970

**ALICE J. DUCK** CLERK  
REGISTER

8912

ROSE WORCESTER

PLAINTIFF

VS

SAM BETTNER

DEFENDANT

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: \_\_\_\_\_

PETITION FOR REMOVAL TO CIRCUIT COURT

TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Now comes Sam Bettner, Defendant in the case of Rose Worcester vs Sam Bettner, which is a suit for unlawful detainer, now pending before W. W. Roberts, a Justice of the Peace for Precinct 8, Daphne, Alabama, Baldwin County, Alabama; that the name of the Plaintiff in the said cause is Rosa Worcester and that the description of the property sued for is as follows:

Area approximately 200 X 75 feet on  
Blakely Bayou 2nd East of Villa Service  
Station in Baldwin County, Alabama.

That the Defendant, Your Petitioner, herein entered on the lands sued for, peaceable and under claim under title thereto, and not under claim of any agreement, contract or understanding with Plaintiff, or those under whom he claims. That your Petitioner bona fide desires to contest with the said Plaintiff, the title to the said land.

Premises considered, Your Petitioner, Sam Bettner, the Defendant in the above styled cause, moves and asks that said suit be removed from the above named Justice Court to the Circuit Court of Baldwin County, Alabama in which County the lands sued for situated.

  
Sam Bettner, Defendant

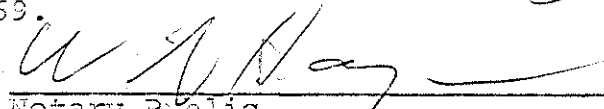
STATE OF ALABAMA  
BALDWIN COUNTY

Before me, Wilson Hayer, personally appeared Sam Bettner, who is known to me and who, being by me first duly sworn, deposes and says the facts stated in the above and foregoing petition are true.

  
Sam Bettner

Sworn to and subscribed to before me this the 10<sup>th</sup> day of Oct, 1969.

FILED

  
Notary Public,

OCT 10 1969

1 VOL

66

PAGE 640

ALICE J. DUCK

CLERK  
REGISTER

Rosa Worcester

Plaintiff

Vs

Sam Bettner

Defendant

IN THE JUSTICE COURT OF

HONORABLE W.W.ROBERTS,

PRECINCT 8,

DAPHNE, ALABAMA.

Before me, W.W. Roberts, a Justice of the Peace in and for the County of Baldwin, State of Alabama, personally appeared Rosa Worcester, who by me being first duly sworn, says on oath:

That she is the owner of the following described premises situated and described as comprising area approximately 200 x 75 feet on Blakely Bayou 2nd East of Villa Service Station in Baldwin County, Alabama;

That said Sam Bettner is now in possession of said premises;

That said Sam Bettner has held and now holds the said premises beyond the term for which the same was rented, or after his right to possession has terminated and after affiant's demand therefor;

The affiant for herself and as attorney in fact for Walter Forster, a/k/a Walter Foster, original lessor, desires possession of said premises and states that said tenant has refused or omitted possession to said owner, or her agent, when so demanded.

WHEREFORE, affiant prays to the Justice Court of Honorable W.W. Roberts, in and for said County, that this Honorable Court require the said Sam Bettner to deliver to the owner, or to her agent, said Walter Forster, a/k/a Walter Foster, full and quiet possession of said premises, and remove the said Sam Bettner with his goods found thereon away from the said premises.

Rosa Worcester  
Rosa Worcester

Sworn to and subscribed before me this the 4th day of October, 1969

W.W. Roberts  
W.W. Roberts,  
JUSTICE COURT,  
Precinct 8,  
Daphne, Alabama.

Received 6 day of Oct 1969  
and on 6 day of Oct 1969  
I served a copy of the within Writ  
on Sam Bettner

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By Roy Randall S.

Sp. Grox 44

Sheriff claim 44  
Less Cents per mile Total 1-10  
Wm. TAYLOR WILKINS, Sheriff  
Randall  
DEPUTY SHERIFF

8972

Rosa Worcester

Plaintiff

Vs

Sam Bettner

Defendant

IN THE JUSTICE COURT OF

HONORABLE W.W.ROBERTS,

PRECINCT 8,

DAPHNE, ALABAMA

TO THE SHERIFF OF BALDWIN COUNTY, ALABAMA: GREETINGS:

Rosa Worcester, having filed with this Court attached Affidavit, as provided by the Code of Alabama, Title 31, Section 35;

You are hereby commanded and directed to serve a copy of said affidavit immediately on said Defendant, Sam Bettner, together with a copy of this Writ notifying him that after the expiration of three days from the service of this, not counting Sundays or legal holidays, you will proceed with the execution of this Writ and remove and eject the said Sam Bettner together with his goods from the following described premises, to-wit:

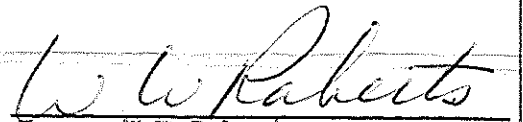
Area approximately 200 x 75 Feet on

Blakely Bayou 2nd East of Villa Service

Station in Baldwin County, Alabama;

And deliver the possession of said premises to the said Rosa Worcester, or to her attorney in fact, Walter Forster, a/k/a Walter Foster, And make Return to this Court.

Done this the 4th day of October, 1969.



W.W. Roberts  
JUSTICE COURT,  
Precinct 8,  
Daphne, Alabama.

[illegible]

*Sp. Gort*

Figure 1. Schematic diagram of the experimental setup. The subject is seated in front of a computer monitor. The subject's hand is positioned on a force plate. The force plate is connected to a computer system. The computer system is connected to a data acquisition system. The data acquisition system is connected to a data storage system.

**DOI:** 10.1002/for

|                |   |                         |
|----------------|---|-------------------------|
| ROSE WORCESTER | ) | IN THE CIRCUIT COURT    |
|                | ) |                         |
| PLAINTIFF      | ) | BALDWIN COUNTY, ALABAMA |
|                | ) |                         |
| VS             | ) | AT LAW                  |
|                | ) |                         |
| SAM BETTNER    | ) | NUMBER: _____           |
|                | ) |                         |
| DEFENDANT      | ) |                         |

ORDER OF CIRCUIT JUDGE  
TO ISSUE WRIT OF REMOVAL

The foregoing petition in this cause having been presented as provided in the Code of Alabama Title 7, Sec. 987 and other statutes made and provided in said causes, it is hereby ordered that the Clerk of the said Circuit Court upon the Petitioner entering into bond in the sum of \$ 200.00 payable to the Plaintiff, in said action with sureties to be approved by the Clerk, and condition to pay all cost of said suit and all damages which may be assessed in the Circuit Court against the Defendant for the rent or use or occupancy of said lands, and all other damages which may be assessed against the Defendant in the event the Plaintiff should recover in said cause, to issue a writ directed to the said Court of W. W. Roberts and the Clerk thereof, commanding him to certify all the papers and proceedings in the said case to the Circuit Court of Baldwin County, Alabama.

Done this 10th day of October, 1969.

J. Blair A. Madaleno  
Circuit Judge

FILED

OCT 10 1969

ALICE J. BOCK CLERK  
REGISTER



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 Sam Bettner 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 Rosa Worcester.

Witness my hand this 2 day of November,  
1969.

Alice D. Duck  
Clerk

ROSA WORCESTER,

X

IN THE CIRCUIT COURT OF

Plaintiff,

X

vs.

X

BALDWIN COUNTY, ALABAMA

SAM BETTNER,

X

AT LAW

Defendant.

X

8972

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

That portion of Subdivision "B", Fractional Section 25, Township 4 South, Range 1 East in Baldwin County, Alabama, which lies South of U. S. Highway Number 90 on the Cochrane Bridge Road, containing thirty-five (35) acres, more or less, including riparian rights,

of which she was in possession, and upon which pending such possession, and before the commencement of this suit, the Defendant lawfully entered on demise of the Plaintiff's Lessee for five years, and which now the Defendant, after the termination of his possessory interest, and after the Plaintiff's demand in writing therefor, unlawfully detains, together with Two Thousand Dollars (\$2,000.00)

for the detention thereof.

CHASON, STONE & CHASON

By: Edward E Ball

Defendant may be served at:

Bay Bridge Causeway  
Baldwin County, Alabama

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

CHASON, STONE & CHASON

By: Edward E Ball

FILED

NOV 3 1969

ALICE J. DUCK CLERK  
REGISTER

Received 3 day of Nov 1969  
and on 5 day of Nov 1969  
I served a copy of the within A/C  
on Sam Bettner

By service on SAM BETTNER

TAYLOR WILKINS Sheriff  
By T.M. Byrd

Causeway

Sheriff claims 60 miles at  
Ten Cents per mile Total \$ 6.00  
TAYLOR WILKINS, Sheriff  
BY Byrd  
DEPUTY SHERIFF

Foot of Spanish  
Trail  
Trail

8972

Rosa Worcester

Relly.

Sam Bettner

Weg.

FILED

NOV 3 1969

ALICE J. DICK CLERK  
REGISTER

Chason, Stone & Chason

for the detention thereof.

CHASON, STONE & CHASON

By: Edward E Ball

Defendant may be served at:

Bay Bridge Causeway  
Baldwin County, Alabama

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

CHASON, STONE & CHASON

By: Edward E Ball

**FILED**

NOV 3 1969

**ALICE J. DUCK** CLERK  
REGISTER

|                |   |                         |
|----------------|---|-------------------------|
| ROSE WORCESTER | ) | IN THE CIRCUIT COURT    |
|                | ) |                         |
| PLAINTIFF      | ) | BALDWIN COUNTY, ALABAMA |
|                | ) |                         |
| VS             | ) | AT LAW                  |
|                | ) |                         |
| SAM BETTNER    | ) | NUMBER: 8972            |
|                | ) |                         |
| DEFENDANT      | ) |                         |

Comes now Defendant in the above styled cause and for answer to the Complaint says:

1. Not guilty.
2. The matters alleged therein are untrue.

W. L. Hays  
Attorney for Defendant

Defendant demands trial by jury.

Done this 3rd day of December, 1969.

W. L. Hays  
Attorney for Defendant

**CERTIFICATE OF SERVICE**  
I do hereby certify that I have on this 3rd day of December, 1969, served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, with first class postage prepaid.

**FILED**

DEC 4 1969

**ALICE J. DUCK** CLERK  
REGISTER

[illegible][illegible][illegible]

... ..

... ..

[illegible]

1. *Journal of the American Statistical Association*, 1995, 90, 1093-1103.

8972

*John*

|                 |   |                         |
|-----------------|---|-------------------------|
| ROSA WORCESTER, | X |                         |
|                 |   | IN THE CIRCUIT COURT OF |
| Plaintiff,      | X |                         |
| vs.             | X | BALDWIN COUNTY, ALABAMA |
| SAM BETTNER,    | X |                         |
|                 |   | AT LAW NO. 8972         |
| Defendant.      | X |                         |

AMENDED COMPLAINT

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

That portion of Subdivision "B", Fractional Section 25, Township 4 South, Range 1 East in Baldwin County, Alabama, which lies South of U. S. Highway Number 90 on the Cochrane Bridge Road, containing thirty-five (35) acres, more or less, including riparian rights,

of which she was in possession, and upon which pending such possession, and before the commencement of this suit, the Defendant lawfully entered on demise of the Plaintiff's Lessee for ten years, and which now the Defendant, after the termination of his possessory interest, and after the Plaintiff's demand in writing therefor, unlawfully detains, together with Two Thousand Dollars (\$2,000.00) for the detention thereof, and the sum of Two Hundred Fifty Dollars (\$250.00), attorney's fee.

CHASON, STONE & CHASON

By *Clark E. Ball*  
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 28 day of Jan, 1970.

*Clark E. Ball*

**FILED**

FEB 2 1970

**ALICE J. DUCK** CLERK  
REGISTER

|                 |   |                         |
|-----------------|---|-------------------------|
| ROSA WORCESTER, | X |                         |
| Plaintiff,      | X | IN THE CIRCUIT COURT OF |
|                 | X | BALDWIN COUNTY, ALABAMA |
| vs.             | X | AT LAW NO: 8972         |
| SAM BETTNER,    | X |                         |
| Defendant.      | X |                         |

STIPULATION

Come now the parties in the above styled cause, by and through their Attorneys of Record and stipulate and agree as follows:

That all the proceedings which have heretofore transpired in the Justice Court of the Honorable W. W. Roberts, Baldwin County, Alabama, in connection with the above styled cause are correct and regular and in compliance with the procedural statutes applicable to actions for unlawful detainer and the Plaintiff and Defendant herein do each hereby waive any and all irregularities in the aforementioned proceedings.

More specifically the Plaintiff, Rosa Worcester, and the Defendant, Sam Bettner, each acting by and through his Attorney of Record does hereby stipulate and agree to the following:

1. That the Plaintiff, Rosa Worcester, has heretofore, in the above mentioned Justice Court complied with all statutory requirements regarding notice to terminate and demand for possession of the subject premises.

2. That a notice was given by the above mentioned Justice Court to the Defendant, and that the Defendant has complied with all statutory requirements regarding the removal of the cause to the Baldwin County Circuit Court, At Law, under the provisions of Title 7, Sections 987-989, Code of Alabama, 1940 (Recompiled 1958), and that an order was duly signed by the Circuit Judge of Baldwin



County removing said cause.

That all procedural requirements leading to a trial de novo in Circuit Court are hereby waived and accepted.

Done this the 28th day of January, 1970.



Attorney for Plaintiff



Attorney for Defendant

FILED

JAN 30 1970

ALICE J. DUCK CLERK  
REGISTER

8979

FILED

JAN 30 1970

ALICE J. BURK  
CLERK  
REGISTER

|                 |   |                         |
|-----------------|---|-------------------------|
| ROSA WORCESTER, | X |                         |
|                 | X | IN THE CIRCUIT COURT OF |
| Plaintiff,      | X |                         |
|                 | X |                         |
| vs.             | X | BALDWIN COUNTY, ALABAMA |
|                 | X |                         |
| SAM BETTNER,    | X | AT LAW NO. 8972         |
|                 | X |                         |
| Defendant.      | X |                         |

WRIT OF ARREST

TO: ANY SHERIFF OF THE STATE OF ALABAMA -- GREETINGS:

By virtue of a decree rendered in this cause on the 25th day of August, 1970, the Defendant, Sam Bettner, was sentenced to confinement in the Baldwin County Jail for failure to comply with the former orders of this Court.

These, therefore, are to command you to take the said Sam Bettner into your custody and commit him to the County Jail Baldwin County, Alabama, until such time as he purges himself of his contempt by vacating the premises where he now resides, in accordance with said decree, and due return hereof make according to law.

This, the 9 day of March, 1971.

*Ernie B. Blackburn*  
Clerk

409 Hickory St.

Sheriff claims \_\_\_\_\_ miles at \_\_\_\_\_  
Ten Cents per mile Total \$ \_\_\_\_\_  
TAYLOR WILKINS, Sheriff  
BY Byrd DEPUTY SHERIFF

Received \_\_\_\_\_ day of \_\_\_\_\_ 1971  
and on \_\_\_\_\_ day of \_\_\_\_\_ 1971  
I served a copy of the within \_\_\_\_\_  
on \_\_\_\_\_  
By service on \_\_\_\_\_  
TAYLOR WILKINS, Sheriff  
By \_\_\_\_\_ D. S.

Writ executed by  
having premises.  
vacated. Subject  
not confined as per  
verbal order of Judge  
Washington.

3/23/71

Taylor Wilkins  
Sheriff  
by: JMB:yd

ROSA WORCESTER

PLAINTIFF

VS

SAM BETTNER

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO.

ANSWER

Comes now Defendant in the above styled cause and for answer to the Complaint of Plaintiff says:

1. Not guilty.
2. The matters alleged in the Complaint are untrue.
3. The Defendant, for answer to the said action, avers that he has had the uninterrupted occupancy of the premises sued for the space of three entire years preceeding the bringing of this action against him.

  
Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 27th day of February, 1970, served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, with first class postage prepaid.

  
WILSON HAYES

FILED

MAR 2 1970

ALICE J. DUCK

CLERK  
REGISTER

8972

ROSA WORCESTER,

X

IN THE CIRCUIT COURT OF

Plaintiff,

X

vs.

X

BALDWIN COUNTY, ALABAMA

SAM BETTNER,

X

AT LAW

NO. 8972

Defendant.

X

Comes now the Plaintiff in the above styled cause by and through her Attorneys of Record and withdraws the demand for trial by jury heretofore made in this cause.

CHASON, STONE & CHASON

By: Richard E. Ball  
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 6th day of JUNE, 1970.

Richard E. Ball

filed 6-8-70  
Alice J. Duck  
Clerk

*Plt vs Def*  
ROSA WORCESTER,

X

IN THE CIRCUIT COURT OF

Plaintiff,

X

vs.

X

BALDWIN COUNTY, ALABAMA

SAM BETTNER,

X

AT LAW

NO.8972

Defendant.

X

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF SAID STATE - GREETING:

You are hereby commanded to restore Rosa Worcester to possession of the land or tenements which the said Rosa Worcester recovered of Sam Bettner in an action of unlawful detainer by a judgment of the Circuit Court of Baldwin County, Alabama, on the 8th day of June, 1970, to said:

That portion of Subdivision "B", Fractional Section 25, Township 4 South, Range 1 East, in Baldwin County, which lies South of U. S. Highway Number 90 on the Cochrane Bridge Road, containing 35 acres, more or less, including riparian rights, being approximately 200'x75' on Blakely Bayou, 2nd East of Villa Service Station, Baldwin County, Alabama.

You are further commanded, of the goods and chattels, lands and tenements of the said Sam Bettner, you cause to be made the sum of thirty-eight & 90/100 — dollars, costs of suit; and make return of this writ and the execution thereof according to law.

WITNESS my hand this the 27 day of June, 1970.

*Alice J. Huck*  
Circuit Clerk, Baldwin County,  
Alabama



8972

Rosa Worcester  
Plt 4

no.

Jane Betner  
Def 4

Writ of Possession

Received 27 day of July 1970  
and on 30 day of July 1970  
I served a copy of the within writ of possession  
on Jane Betner  
By service on Jane Betner  
TAYLOR WILKINS, Sheriff  
D. S.  
Attn: Attn: Clerk

|                 |   |                         |
|-----------------|---|-------------------------|
| ROSA WORCESTER, | X | IN THE CIRCUIT COURT OF |
| Plaintiff,      | X |                         |
| vs.             | X | BALDWIN COUNTY, ALABAMA |
| SAM BETTNER,    | X | AT LAW                  |
| Defendant.      | X | NO. 8972                |
|                 | X |                         |

ORDER ADJUDGING DEFENDANT IN  
CONTEMPT OF COURT

This being the day heretofore fixed for the hearing on the petition of the Plaintiff for an order or decree against the Defendant adjudging him in contempt of this Court; now come the parties and their respective attorneys of record, and the Court having proceeded to hear the testimony of both parties, is of the opinion that the Defendant is in contempt of this Court; it is, therefore,

ORDERED and DECREED by the Circuit Court of Baldwin County, Alabama, At Law, that the Defendant, Sam Bettner, be, and he is hereby, adjudged in contempt of this Court for and on account of his failure and refusal to comply with the terms and provisions of the judgment of this Court entered in this cause on June 8, 1970.

It is further ORDERED and DECREED by the Court that the said Sam Bettner be forthwith taken into custody by the Sheriff of Baldwin County, Alabama and committed to the Baldwin County Jail until such time as he purges himself of such contempt by vacation of the premises referred to in this Court's decree of June 8, 1970 and immediate surrender of the same to the Plaintiff, Rosa Worcester.

Done this 25<sup>th</sup> day of August, 1970.

*Jeffrey J. Maschbauer*  
Circuit Judge

AUG 25 1970  
 CLERK  
 REGISTER

no action

GR. FRANK JOHNSON

By \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By service on \_\_\_\_\_

on \_\_\_\_\_

I served a copy of the within \_\_\_\_\_

and on \_\_\_\_\_

day of \_\_\_\_\_

Aug

19 70

3-15-41

Clock

Returned No action taken

8972

Rea Worcester

100

100

Thom Bettines

100

1. Under & Contempt

100  
C. J. E. P. M. 3-14-41  
P.M.

Chas. W. Stone & Chas. W.

|                 |   |                         |
|-----------------|---|-------------------------|
| ROSA WORCESTER, | X |                         |
| Plaintiff,      | X | IN THE CIRCUIT COURT OF |
|                 | X |                         |
| vs.             | X | BALDWIN COUNTY, ALABAMA |
|                 | X |                         |
| SAM BETTNER,    | X | AT LAW NO. 8972         |
| Defendant.      | X |                         |

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW,  
AND TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE THEREOF:

Comes now the Plaintiff in the above styled cause, by  
and through her Attorneys of record, and respectfully represents  
and shows unto Your Honor as follows:

1. That in and by the terms of the Final Judgment heretofore rendered in this cause on June 8, 1970, the Defendant, Sam Bettner, was ordered and directed to restore the Plaintiff, Rosa Worcester, to possession of that certain tract of land described in said judgment and decree. That notwithstanding the terms and provisions of said judgment and decree and despite the fact that on the 31st day of July, 1970, the Defendant was served with a Writ of Possession duly issued from the office of the Clerk of Baldwin County, Alabama, the Defendant has nevertheless refused to deliver up possession to the Plaintiff, Rosa Worcester.

WHEREFORE, the premises considered, your Petitioner respectfully prays that this Honorable Court will, upon the filing of this Petition, enter an order or decree appointing a day for the hearing of the same and will cause a copy of said order together with a copy of this Petition, to be served upon the Defendant, Sam Bettner, and that he be required to appear on the appointed day and show cause why he should not be held in contempt of this Honorable Court.

Respectfully submitted,

CHASON, STONE & CHASON

By: 

Attorneys for Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Eberhard E. Ball, 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 he is one of the attorneys for the Petitioner in the above petition and that the facts alleged therein are true and correct.

*Eberhard E. Ball*

Eberhard E. Ball

Sworn to and subscribed before  
me this 4th day of August,  
1970.

*Reggie Bailey*  
Notary Public, Baldwin County, Alabama

FILED

AUG 4 1970

ALICE J. DUCK CLERK  
REGISTER

|                 |   |                         |          |
|-----------------|---|-------------------------|----------|
| ROSA WORCESTER, | X |                         |          |
| Plaintiff,      | X | IN THE CIRCUIT COURT OF |          |
|                 | X |                         |          |
| vs.             | X | BALDWIN COUNTY, ALABAMA |          |
|                 | X |                         |          |
| SAM BETTNER,    | X | AT LAW                  | NO. 8972 |
| Defendant.      | X |                         |          |

ORDER

The Plaintiff in the above styled cause having this day filed a Petition with this Court praying for an order directed to the Defendant to appear and show cause why he should not be held in contempt of this Court for failure to comply with the terms and provisions of the Final Judgment heretofore rendered in this cause on June 8, 1970; and the Court having considered the same is of the opinion that such an order should be entered; it is, therefore,

ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, At Law, that Sam Bettner be, and he is hereby, ordered to be and appear before this Court on the 24<sup>th</sup> day of August, 1970, at 10:00 A. M. and then and there to show cause, if any he has, why he should not be held in contempt of this Court for failure to comply with the terms and provisions of that certain Final Judgment heretofore rendered in this cause on June 8, 1970.

It is further ORDERED and DIRECTED by the Court that the said Sam Bettner be given notice of the filing of said Petition and of the order herein made by service upon him of a copy of this Order, to which there shall be attached a copy of said Petition.

Done this 4<sup>th</sup> day of August, 1970.

**FILED**

AUG 4 1970

ALICE J. DUCK

CLERK  
REGISTER

24 8-6-69

VOL 66 PAGE 656

Jeffrey G. Madhewie  
Circuit Judge

8972

Rose Worcester

vs.

Sam Better

Petition for Contempt of  
Order

Chas. Stone, Chas.

Sheriff's return  
Ten Cents per mile Total \$ 4.46  
TAYLOR WILLIAMS, Sheriff  
W. G. (Mark)  
DEPUTY SHERIFF

Received 11th  
of Aug. 1890  
I served a copy of this order on  
Sam Better  
By service on  
Sam Better

W. G. P. P.  
99 miles

|                 |   |                         |          |
|-----------------|---|-------------------------|----------|
| ROSA WORCESTER, | X | IN THE CIRCUIT COURT OF |          |
|                 |   |                         | 1 2 7    |
| Plaintiff,      | X |                         |          |
|                 |   | BALDWIN COUNTY, ALABAMA |          |
| vs.             | X |                         |          |
| SAM BETTNER,    | X | AT LAW                  | NO. 8972 |
| Defendant.      | X |                         |          |
|                 | X |                         |          |

ORDER ADJUDGING DEFENDANT IN  
CONTEMPT OF COURT

This being the day heretofore fixed for the hearing on the petition of the Plaintiff for an order or decree against the Defendant adjudging him in contempt of this Court; now come the parties and their respective attorneys of record, and the Court having proceeded to hear the testimony of both parties, is of the opinion that the Defendant is in contempt of this Court; it is, therefore,

ORDERED and DECREED by the Circuit Court of Baldwin County, Alabama, At Law, that the Defendant, Sam Bettner, be, and he is hereby, adjudged in contempt of this Court for and on account of his failure and refusal to comply with the terms and provisions of the judgment of this Court entered in this cause on June 8, 1970.

It is further ORDERED and DECREED by the Court that the said Sam Bettner be forthwith taken into custody by the Sheriff of Baldwin County, Alabama and committed to the Baldwin County Jail until such time as he purges himself of such contempt by vacation of the premises referred to in this Court's decree of June 8, 1970 and immediate surrender of the same to the Plaintiff, Rosa Worcester.

Done this 26TH day of August, 1970.

S/TELFAR J. MASHBORN  
Circuit Judge



|                 |   |                         |          |
|-----------------|---|-------------------------|----------|
| ROSA WORCESTER, | X | IN THE CIRCUIT COURT OF |          |
| Plaintiff,      | X |                         |          |
| vs.             | X | BALDWIN COUNTY, ALABAMA |          |
| SAM BETTNER,    | X | AT LAW                  | NO. 8972 |
| Defendant.      | X |                         |          |
|                 | X |                         |          |

ORDER ADJUDGING DEFENDANT IN  
CONTEMPT OF COURT

This being the day heretofore fixed for the hearing on the petition of the Plaintiff for an order or decree against the Defendant adjudging him in contempt of this Court; now come the parties and their respective attorneys of record, and the Court having proceeded to hear the testimony of both parties, is of the opinion that the Defendant is in contempt of this Court; it is, therefore,

ORDERED and DECREED by the Circuit Court of Baldwin County, Alabama, At Law, that the Defendant, Sam Bettner, be, and he is hereby, adjudged in contempt of this Court for and on account of his failure and refusal to comply with the terms and provisions of the judgment of this Court entered in this cause on June 8, 1970.

It is further ORDERED and DECREED by the Court that the said Sam Bettner be forthwith taken into custody by the Sheriff of Baldwin County, Alabama and committed to the Baldwin County Jail until such time as he purges himself of such contempt by vacation of the premises referred to in this Court's decree of June 8, 1970 and immediate surrender of the same to the Plaintiff, Rosa Worcester.

Done this 25<sup>th</sup> day of August, 1970.

/s/ Telfair D. Mashburn  
Circuit Judge

ROSA WORCESTER, X  
 Plaintiff, X IN THE CIRCUIT COURT OF  
 vs. X BALDWIN COUNTY, ALABAMA  
 SAM BETTNER, X AT LAW NO. 8972  
 Defendant. X

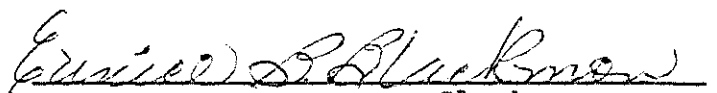
WRIT OF ARREST

TO: ANY SHERIFF OF THE STATE OF ALABAMA -- GREETINGS:

By virtue of a decree rendered in this cause on the 25th day of August, 1970, the Defendant, Sam Bettner, was sentenced to confinement in the Baldwin County Jail for failure to comply with the former orders of this Court.

These, therefore, are to command you to take the said Sam Bettner into your custody and commit him to the County Jail Baldwin County, Alabama, until such time as he purges himself of his contempt by vacating the premises where he now resides, in accordance with said decree, and due return hereof make according to law.

This, the 9 day of March, 1971.

  
 Clerk

8/18

|                 |   |                         |
|-----------------|---|-------------------------|
| ROSA WORCESTER, | X | IN THE CIRCUIT COURT OF |
| Plaintiff,      | X |                         |
|                 | X |                         |
| vs.             | X | BALDWIN COUNTY, ALABAMA |
|                 | X |                         |
| SAM BETNER,     | X | AT LAW                  |
| Defendant.      | X | NO. 8972                |

WRIT OF HABEAS CORPUS

TO: ANY SHERIFF OF THE STATE OF ALABAMA -- GREETINGS:

By virtue of a decree rendered in this cause on the  
25th day of August, 1970, the Defendant, Sam Betner, was  
sentenced to confinement in the Baldwin County Jail for failure  
to comply with the former orders of this Court.  
These, therefore, are to command you to take the said  
Sam Betner into your custody and commit him to the County Jail  
Baldwin County, Alabama, -- until such time as he purges himself  
of his contempt by vacating the premises where he now resides, in  
accordance with said decree, and due return hereof make according  
to law.

This, the 7 day of March, 1971.

James H. (Bobby) Jones  
Clerk

CHASON, STONE & CHASON

ATTORNEYS AT LAW

P. O. BOX 120

BAY MINETTE, ALABAMA 36507

JOHN CHASON  
NORBORNE C. STONE, JR.  
JOHN EARLE CHASON  
EBERHARD E. BALL

January 29, 1970

TELEPHONE 937-2191

Mrs. Alice J. Duck, Clerk  
Circuit Court of Baldwin County  
Bay Minette, Alabama

Dear Mrs. Duck:

Re: Worcester v. Bettner, Case 8972

Please file the enclosed Amended Complaint and Stipulation in the above case.

Thank you for your assistance.

Yours very truly,

CHASON, STONE & CHASON

By: Eberhard E. Ball  
fh

EEB:jb

Encl: As Noted

ROSE WORCESTER

PLAINTIFF

VS

SAM BETTNER

DEFENDANT

) IN THE CIRCUIT COURT  
)  
)  
)  
)  
)  
)  
)  
)

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: \_\_\_\_\_

ORDER OF CIRCUIT JUDGE  
TO ISSUE WRIT OF REMOVAL

The foregoing petition in this cause having been presented as provided in the Code of Alabama Title 7, Sec. 987 and other statutes made and provided in said causes, it is hereby ordered that the Clerk of the said Circuit Court upon the Petitioner entering into bond in the sum of \$ 200<sup>00</sup> payable to the Plaintiff, in said action with sureties to be approved by the Clerk, and condition to pay all cost of said suit and all damages which may be assessed in the Circuit Court against the Defendant for the rent or use or occupancy of said lands, and all other damages which may be assessed against the Defendant in the event the Plaintiff should recover in said cause, to issue a writ directed to the said Court of W. W. Roberts and the Clerk thereof, commanding him to certify all the papers and proceedings in the said case to the Circuit Court of Baldwin County, Alabama.

Done this 10 day of October, 1969.

S. K. J. Meshburn  
Circuit Judge

IN THE CIRCUIT COURT  
BALDWIN COUNTY, ALABAMA  
AT LAW  
NUMBER: \_\_\_\_\_

ROSE WORCESTER  
PLAINTIFF  
VS  
SAM BETTER  
DEFENDANT

ORDER OF CIRCUIT JUDGE  
TO ISSUE WRIT OF REMOVAL

The foregoing petition in this cause having been presented

as provided in the Code of Alabama Title 7, Sec. 987 and other  
statutes made and provided in said cause, it is hereby ordered  
that the Clerk of the said Circuit Court upon the Petitioner  
entering into bond in the sum of \$ 200.00 payable to the  
Plaintiff, in said action with sureties to be approved by the  
Clerk, and condition to pay all cost of said suit and all damages  
which may be assessed in the Circuit Court against the Defendant  
for the rent or use or occupancy of said lands, and all other  
damages which may be assessed against the Defendant in the event  
the Plaintiff should recover in said cause, to issue a writ  
directed to the said Court of W. W. Roberts and the Clerk thereof,  
commanding him to certify all the papers and proceedings in the  
said case to the Circuit Court of Baldwin County, Alabama.  
Done this 11 day of October, 1969.

W. W. Roberts  
Circuit Judge

# *Mattie L. Rhodes Hospital*

POST OFFICE BOX 910

BAY MINETTE • ALABAMA 36507

March 3, 1970

TO WHOM IT MAY CONCERN:

Re; Mr. Albert E. Jerkins

Dear Sir:

Mr. Jerkins is presently confined to the Mattie L. Rhodes Hospital with severe Emphysema. He is at this time, too ill to discharge for jury duty.

If I may be of any further help, please advise.

Respectfully yours,

*G. B. Halliday, M.D.*  
G.B. Halliday, M.D.

*gac*

**THE STATE OF ALABAMA**

**BALDWIN COUNTY**

Circuit Court

Spring

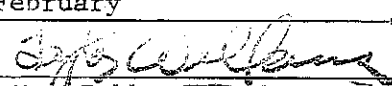
Term, 19<sup>70</sup>

You are hereby commanded and summoned to be and appear at the Court House of said County at 9:00 o'clock, A. M., on Monday the ninth day of March 19 70 at the meeting of the Circuit Court, to serve as Juror in said Court.

To: Mr. Albert F. Jenkins

Stapleton, Alabama

Witness my hand this the 16th  
day of February, 19 70

  
Sheriff of Baldwin County, Alabama