

LUKE HADLEY,

Plaintiff,

vs.

MRS. LILLIE ARDIS,

Defendant.

I

I

IN THE CIRCUIT COURT OF

I

BALDWIN COUNTY, ALABAMA

I

AT LAW

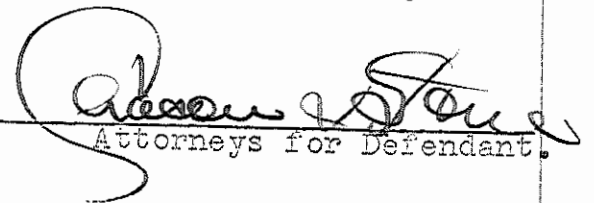
I

I

Comes the Defendant in the above styled cause and for plea to the Complaint filed in said cause, says:

1. Non Detinet

2. That the thirteen (13) cattle described in the Complaint were levied on under a writ of detinue, by the Sheriff of Baldwin County, Alabama, on May 12, 1954, and on, to-wit, May 13, 1954, the Plaintiff came upon the property of the Defendant and removed a portion of her fence and also removed ten (10) of the thirteen (13) cattle sued for, without the permission of the Defendant, which said cattle were trespassers upon the property of the Defendant at the time the suit was filed and the Defendant claimed no title to such cattle but only claimed damage for the injury to said property.

  
Attorneys for Defendant.

2248

PLEA

LUKE HADLEY,

Plaintiff,

vs.

MRS. LILLIE ARDIS,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

Filed this 31st day of May, 1954.

*Reid French*  
Clerk.

LUKE HADLEY,

PLAINTIFF,

VS

MRS. LILLIE ARDIS,

DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

Comes the Plaintiff and moves to strike Count Two of said answer  
and for cause thereof says:

1.

That said Count is multifarious.

2.

That said Count contains a variance.

3.

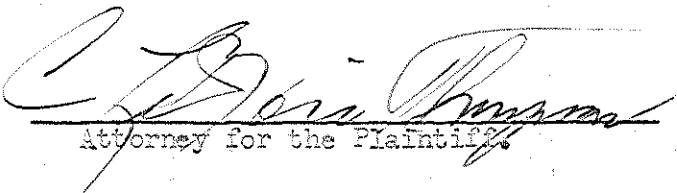
That said Count is inconsistent.

4.

That a multiplicity of allegations are contained in said Count.

5.

That the allegations in said Count are a surplusage.

  
Attorney for the Plaintiff.

2248

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

LUKE HADLEY,

PLAINTIFF,

VS

MRS. LILLIE ARDIS,

DEFENDANT.

Motion to Strike

FILED  
JUN 5 1954  
ALICE J. DUCK, Clerk

C. LeNoir Thompson  
Attorney At Law  
Bay Minette, Alabama

THE STATE OF ALABAMA  
Baldwin County

Justice Court - Baldwin Co.

No. \_\_\_\_\_, 19\_\_\_\_

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

You are hereby commanded to summon Mrs. Lillie Ardisto appear within thirty days from the service of this writ, in the Justice Court to be held for said County at the place of holding the same, then and there to answer the complaint of \_\_\_\_\_Luke Hadley

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

COMPLAINT

Luke HadleyMrs. Lillie Ardis

Plaintiff... versus

Defendant..

The Plaintiff claims of the Defendant the following personal property, to-wit:

Thirteen head of range cattle, crop and half crop in one ear and  
two swallow forks and underbit in other, branded twenty-six.

with the value of the hire or use thereof during the detention, to-wit:

from May 9th, 1954 to date, 19\_\_\_\_Chas. E. Thompson, Plaintiff's Attorney

No. 2248

Page \_\_\_\_\_

## THE STATE OF ALABAMA

BALDWIN COUNTY

JUSTICE COURT

Plaintiff \_\_\_\_\_

VS

Defendant \_\_\_\_\_

## Detinue Summons and Complaint

Filed \_\_\_\_\_

5-10, 1954Alice J. Duck  
clerk

Plaintiff's Attorney \_\_\_\_\_

Defendant's Attorney \_\_\_\_\_

Moore Printing Co., Bay Minette, Ala.

5-11-54

## TO THE SHERIFF OF SAID COUNTY:

Whereas the plaintiff in the within stated cause has made affidavit and given bond as required by law you are hereby required to take the property mentioned in Complaint into your possession unless the Defendant gives bond payable to the Plaintiff with sufficient surety in double the amount of the value of the property, with condition that if the Defendant is cast in the suit he will, within ten days thereafter, deliver the property to the Plaintiff, and pay all damages and costs which may accrue from the detention thereof.

Alice J. Duck  
clerk

Defendant lives at \_\_\_\_\_

Received in Office

May 11, 1954

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

I have executed this summons

this

May 12th, 1954

by leaving a copy with

Mrs. Lillie Archis  
and taking into my  
possession 3 head  
of cows onMay 21st 1954Plaintiff made bond  
for cattle and they  
were released to  
himInfante Wilkin  
\_\_\_\_\_, Sheriff  
\_\_\_\_\_, Deputy Sheriff

**The State of Alabama,** {  
**Baldwin County**

KNOW ALL MEN BY THESE PRESENTS, That we, Luke Hadley

and \_\_\_\_\_

are held and firmly bound unto Mrs. Lillie Ardis

in the sum of Two Hundred fifty Dollars, for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated this \_\_\_\_\_ day of May 19 54

The condition of the above obligation is such that whereas the said Luke Hadley

\_\_\_\_\_ did, on the 12th day of May 19 54 sue out of the Circuit Court of Baldwin County

\_\_\_\_\_ a writ of detinue directed to any Sheriff of the State of Alabama commanding him to take into his possession the following property, to-wit: Three head of cattle, property of the said Luke Hadley

which said writ was placed in the hands of Taylor Wilkins, Sheriff of Baldwin County, Alabama, on the 12th day of May, 19 54, and executed by him on the 12th day of May, 19 54, by taking into his possession the following property, to-wit:

Three head of cattle

And whereas the said Mrs. Lillie Ardis, Defendant in said writ, has failed and neglected for the space of five days from the execution of said writ to give bond and take possession of said property as authorized by law.

Now if the said Luke Hadley upon his failing in said suit shall deliver the said property to the Defendant within thirty days after judgment and pay all damages for the detention of the property and costs of suit, then this obligation to be void, otherwise to remain in full force and effect.

Luke Hadley (SEAL)  
Roger Lee Kirkland (SEAL)  
A. K. Page (SEAL)

Taken and approved this 21st day of May 19 54  
July W. D. Dineen  
 Sheriff, Baldwin County, Ala.

STATE OF ALABAMA, }  
Baldwin County.

KNOW ALL MEN BY THESE PRESENTS, That We, Luke Hadley

as principal, and \_\_\_\_\_

as surety, are held and firmly bound unto Mrs. Lillie Ardis

in the sum of Six Hundred (\$600.00) ----- DOLLARS,

to be paid to the said Mrs. Lillie Ardis, his heirs,

executors, administrators or assigns; for which payment, well and truly to be made, we bind ourselves,

and each of us, our and each of our heirs, executors and administrators, jointly and severally and firmly,

by these presents. Sealed with our seals, and dated this 10th day of May

in the year of our Lord, 1954---

The condition of the above obligation is such, That whereas the above bound Luke Hadley

\_\_\_\_\_, on the day of the date hereof hath obtained at the suit of

Luke Hadley vs. Mrs. Lillie Ardis,

a summons and complaint for the recovery of personal property in specie against said defendant and asks an endorsement by the Clerk of this Court "That the Sheriff is required to take the property mentioned in said complaint into his possession," as required by law in such cases, which summons and complaint are returnable to the next term of the Circuit Court of said County, and which said endorsement is made upon the plaintiff entering into this bond.

Now, if the said Plaintiff shall fail in this suit, and shall pay the Defendant all such costs and damages as he may sustain by reason of the wrongful complaint in said case, then this obligation to be void, otherwise to remain in full force and effect.

Luke Hadley (L. S.)

Arthur H. Ardis (L. S.)

J. P. Stuart (L. S.)

Approved this 10<sup>th</sup> day of May 1954

Alfred J. Duke  
Clerk.