

BOND FOR REMOVAL

STATE OF ALABAMA  
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS: that I, Albert Stewart, as principal, and Floyd Taylor and Van Harville, as sureties, are held and firmly bound to Shirley Joiner in the sum of \$500.00, which sum well and truly to be paid, we bind ourselves, our heirs and personal representatives;

Signed and sealed this \_\_\_\_\_ day of October, 1955.

Albert Stewart  
Floyd Taylor  
Van Harville

The condition of the above bond is such that, whereas, said principals have obtained an order from the Honorable H.M. Hall, Judge of the Circuit Court of Baldwin County, Alabama, for the transfer to the Circuit Court of Baldwin County, Alabama, of a suit of Shirley Joiner against said principal pending in the Court of T.C. Hand, a justice of the peace of Baldwin County, Alabama, upon the giving of this bond as required by Section 988, Title 7 of the Code of Alabama 1940; now, if said petitioners pay all costs of said suit and all damages which may be assessed in said Circuit Court against the defendants for the rent or for the use and occupation of said lands and all other damages which may be assessed against the defendants in event the plaintiff should recover in said cause, then this obligation shall be null and void; otherwise to remain in full force and effect.

In witness whereof, we have hereunto set our hands or caused this instrument to be executed by our duly authorized officers on this the 31st day of October, 1955.

Albert Stewart  
Floyd Taylor  
Van Harville

APPROVED:

Wesley J. Duck Clerk  
11-8-55

STATE OF ALABAMA  
COUNTY OF BALDWIN

Before me, Wilson Hayes, Notary Public in and for said County and State, personally appeared Albert Stewart, who being known to me, and being first duly sworn, deposes and says that his right of possession to the following lands:

One Story Frame Dwelling House eight (8) miles from Bay Minette, Alabama, on West side of Raburn Road (1½ miles West of road on C.C. Road) next to house of Henry Stewart.

for which an action has been brought against him in the Justice Court of T.C. Hand, Baldwin County, Alabama, has not terminated and that he has a lawful right to retain the possession of said land.

Albert Stewart

Sworn to and subscribed before me this the 21st day of September, 1955.

Wilson Hayes  
WILSON HAYES  
NOTARY PUBLIC  
BALDWIN COUNTY, ALABAMA

Shirley Joiner

Plaintiff

vs

Albert Stewart

Defendant

In the Circuit Court of

Baldwin County, Alabama

Now comes the Defendant in the Above styled cause by his Attorney and claims his exemptions of Real Estate of the value of \$2,000, Personal Property of \$1,000 and all other exemption allowed him under the Alabama Law against that certain judgment rendered against him in said cause, No. 2770 on the 28th day of January, 1956 for the sum of \$75.00 damages awarded against him and \$25.45 costs of said suit.

  
Attorney for the Defendant

2770

Shirley Joiner

Plaintiff

vs

Albert Stewart

Defendant

Exemption

FILED

AUG 4 1956

ALICE J. DUCK, Clerk

THE STATE OF ALABAMA {  
Baldwin County

To Albert Stewart

You are hereby directed and commanded to deliver to Fronie Jones  
full and quiet possession of the lands hereinafter described, with the improvements thereon, to-wit:

One story frame dwelling house  
Eight (8) miles from Bay Minette, Ala.  
On west side of Roburn Road (1 1/2  
miles west of Road on C.C. Road).  
Next to house of Henry Stewart.

Unless such possession is delivered, I will, as Sheriff, after the expiration of three (3) days hereafter, proceed with the execution of the Writ of Process issued out of the Justice Court of T.C. Hand, Justice of the Peace, Beat \_\_\_\_\_, Baldwin County, Alabama, and in accordance therewith remove you and your property from the said premises.

Jayson Wilkins  
Sheriff, Baldwin County, Ala.

C1645

Ironie joined  
vs.

Albert Stewart.

Received \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

and on 21 day of Sept. 1963

I served a copy of the within Three day

on notice

By service on Albert Stewart

TAYLOR WILKINS, Sheriff

By J. P. Hain D. S.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY }

Before me, \_\_\_\_\_

T. C. / Land

in and for Beat \_\_\_\_\_,

Bay Minette

Alabama, personally appeared

Fronie Joiner

who, having been by me first duly and legally sworn

deposes and says: My name is \_\_\_\_\_

Fronie Joiner

, I am the owner of the lands

hereinafter described, with the improvements thereon.

All \_\_\_\_\_

Albert Stewart

rights to said property and his rights to the possession thereof have determined and been forfeited.

I have given the said Albert Stewart notice to vacate said property, but he has failed or refused to deliver possession demanded.

The said lands being described as follows, to-wit:

One Story Frame Dwelling House  
Eight miles from Bay Minette on  
West Side Rabun Road (1 1/2 miles  
West of Road on C.C. Road).  
next to house of Henry Stewarts.

Fronie Joiner,

Owner or Agent

Rabun Route,  
Bay Minette, Ala.

Sworn to and subscribed before me this the

15

day of

Sept., 1945T. C. / LandBeat, 4

Baldwin County, Alabama.

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**AFFIDAVIT OF OWNER,  
HIS AGENT OR ATTORNEY**

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*Ironie J. Jones* Plaintiff  
vs.

*Albert Stewart* Defendant

Filed *15 Sept*, 19*45*

*P. J. Land*

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SHIRLEY JOINER,

Plaintiff,

VS.

ALBERT STEWART,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2770


## DEMURRERS

Now comes the Plaintiff, by his Attorney, and demurs to the Defendant's suggestion of a boundary line dispute heretofore filed in this cause on November 22, 1955, and as grounds for said demurrer assigns the following separately and severally:

1. The said Defendant does not definitely describe the landmarks, monuments, courses and distances what he asserts to be the true boundary line.

2. The Defendant does not describe the location of the true boundary line.

3. The suggestion of a boundary line dispute is vague and indefinite.

  
Attorney for Plaintiff.

DEMURRERS

SHIRLEY JOINER,

Plaintiff,

VS.

ALBERT STEWART,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 2770

FILED  
DEC 17 1955  
JAMES A. BROWN, Clerk

SHIRLEY JOINER,

Plaintiff,

VS.

ALBERT STEWART,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2770

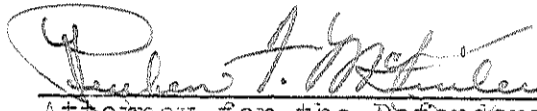
Now comes the Plaintiff in the above styled cause and takes issue with the Defendant on his plea of disclaimer heretofore filed in this cause as provided by Section 942, Title 7 of the 1940 Code of Alabama.

  
Attorney for Plaintiff.

SHIRLEY JOINER  
vs.  
ALBERT STEWART

Shirley Joiner	¶	In The Circuit Court of
Plaintiff	¶	Baldwin County, Alabama
VS	¶	At Law
Albert Stewart	¶	Case No. 2770
Defendant	¶	

Now comes the Defendant in the above styled cause by his Attorney, and shows unto this Honorable Court and to the Sheriff of Baldwin County, that he is not and never has been in possession of that certain piece of land described in the Writ of Possession delivered to the Sheriff in said cause, except that one corner of the house belonging to the Defendant is about three feet over on said land described in said Writ of Possession. The Defendant hereby makes known to the Court that he is willing to move said house or do anything further to deliver possession of said strip covered by the corner of his house which this Honorable Court may direct.

  
Attorney for the Defendant.

2770

SHIRLEY JOINER

PLAINTIFF

VS

ALBERT STEWART

DEFENDANT

NOTICE

FILED

MAR 10 1956

ALICE J. DICK, Clerk

ORDER

STATE OF ALABAMA }  
COUNTY OF BALDWIN }

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Albert Stewart, having this day presented to me his verified petition for the removal of the above styled cause from the justice court of T.C. Hand a justice of the peace in and for precinct No. four, Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, showing that the action is one of wrongful withholding possession; that petitioner entered on the land sued for peaceably and under claim of title thereto, and not under claim of any agreement, contract or understanding with the plaintiff, or those under whom he claimed, and that petitioner bona fide desires to contest with plaintiff title to the land sued for and asking that such suit be removed from said justice court to the circuit court of Baldwin County, Alabama. Upon consideration of said verified petition it is,

Considered, ordered and adjudged by the Court that upon the defendant, Albert Stewart entering into a bond in the sum of \$ 100<sup>00</sup>, conditioned and payable as required by law, and filing said bond with you as clerk of the circuit court of Baldwin County, within five days after this date, said bond to be approved by you as said cler, that;

You, as clerk of the circuit court of Baldwin County, Alabama, do issue a writ directed to the said justice of the peace commanding him to certify all the papers and proceedings in such case to the circuit court of Baldwin County, Alabama.

Dated this the 2 day of Nov, 1955.

Hubert M. Hall  
CIRCUIT JUDGE

SHIRLEY JOINER,  
 PLAINTIFF,  
 VS  
 ALBERT STEWART,  
 DEFENDANT.

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

PETITION

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,  
 ALABAMA:

Comes now your petitioner and shows unto this Honorable Court as follows:

1. There is now suit pending before T.C. Hand, Justice of the Peace,  
 Beat 4, Baldwin County, Alabama, in which Fronie Joiner is Plaintiff and your  
 Petitioner is Defendant for the following described lands:

Beginning at the Northwest corner of Section 3, Township  
 1 South, Range 3 East, run South a distance of 684 yards  
 for a point of beginning, run thence East a distance of  
 275 yards, thence South a distance of 88 yards, thence  
 West 275 yards, thence North 88 yards, to point of begin-  
 ning, intending to convey the South 5 acres of property  
 owned by me in said Section 3, Township 1 South, Range 3  
 East, except one acre previously conveyed by the parties  
 of the first part to the party of the second part.

2. The Defendant entered into the land sued for, peaceably and under  
 claim of title thereto, and not under claim of any agreement, contract, or  
 understanding with the Plaintiff.

3. The petitioner bona fide desires to contest with Plaintiff the title  
 to the said land.

4. Now therefore, the Defendant prays that this suit be removed from said  
 Justice of the Peace, T.C. Hand, Beat 4, Baldwin County, Alabama to the Circuit  
 Court of Baldwin County, Alabama.

*Albert Stewart*

Sworn to and subscribed before me this 20<sup>th</sup> day of October,

1955.

*Wilson Hayes*  
 WILSON HAYES  
 NOTARY PUBLIC  
 BALDWIN COUNTY, ALABAMA

FRONIE JOINER,	)	
Plaintiff,	)	IN THE JUSTICE COURT
VS.	)	OF
ALBERT STEWART,	)	T. C. HAND
Defendant.	)	

AMENDED COMPLAINT

Now comes the Plaintiff in the above styled cause and by consent of the Defendant withdraws as Plaintiff in said cause and substitutes, as party Plaintiff in this suit, Shirley Joiner.

Now comes Shirley Joiner, the Plaintiff in said cause, and amends the Complaint heretofore filed so that, as amended the said Complaint will read as follows:

"SHIRLEY JOINER,	)	
Plaintiff,	)	IN THE JUSTICE COURT
VS.	)	OF
ALBERT STEWART,	)	T. C. HAND
Defendant.	)	

COUNT ONE

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

Beginning at the Northwest corner of Section 3, Township 1 South, Range 3 East, run South a distance of 684 yards for a point of beginning, run thence East a distance of 275 yards, thence South a distance of 88 yards, thence West 275 yards, thence North 88 yards to point of beginning, intending to convey the South 5 acres of property owned by me in said Section 3, Township 1 South, Range 3 East, except one acre previously conveyed by the parties of the first part to ~~the party of the second part.~~  
*Henry Stewart.*

to the immediate possession of which the Plaintiff is entitled by virtue of the purchase of said land and which the Defendant, after the termination of his possessory interest, and after the Plaintiff demanded in writing therefor, unlawfully detains, together with Five Hundred Dollars (\$500.00) for the detention thereof."

  
Attorney for Plaintiff

RECEIVED CONFIDENTIAL  
FRONIE JOINER,

Plaintiff,

VS.

ALBERT STEWART,

Defendant.

IN THE JUSTICE COURT

OF

T. C. HAND

FILED

NOV 4 1955

CLIFF L. OWEN, Clerk  
JAMES R. OWEN

ATTORNEY-AT-LAW  
BAY MINETTE, ALABAMA