

HARRY L. (PETE) DOLIVE

PLAINTIFF

VS

MRS. LOUIS BANKESTER

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

2938

Comes the Defendant in the above styled cause and demurres to the complaint filed in said cause and to each phase separately and severally thereof and for demurrer shows unto this Honorable Court:

1.

That said Plaintiff by his pleading claims damages of prior trespasses which claims are not lawful.

2.

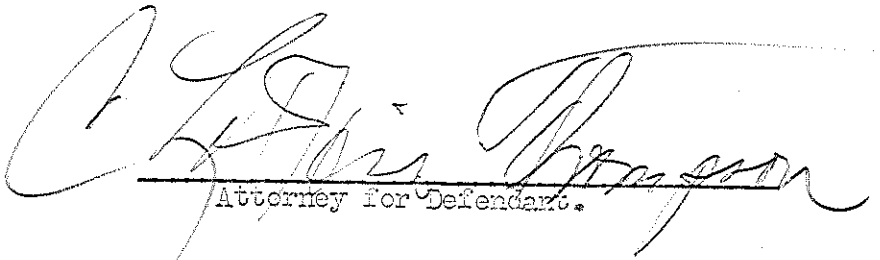
That for aught alleged in complaint, no dates of trespass are set out as required by law.

3.

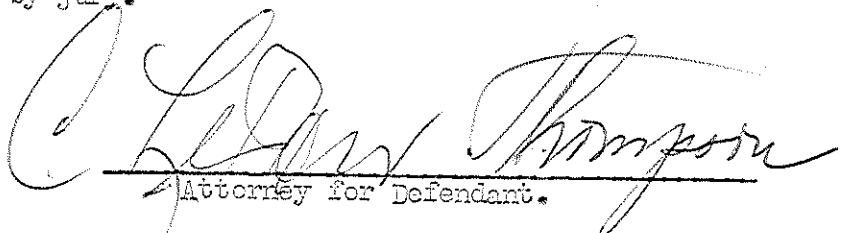
For aught alleged in said complaint said damages are not identified according to the dates said Defendant alleges same to have been committed.

4.

For aught alleged in said complaint said prior damages may have occurred on such occasions and such dates as may be barred under Title 3 Section 88 of the Code of Alabama of 1940 as amended.


Attorney for Defendant.

Defendant demands trial by jury.


Attorney for Defendant.

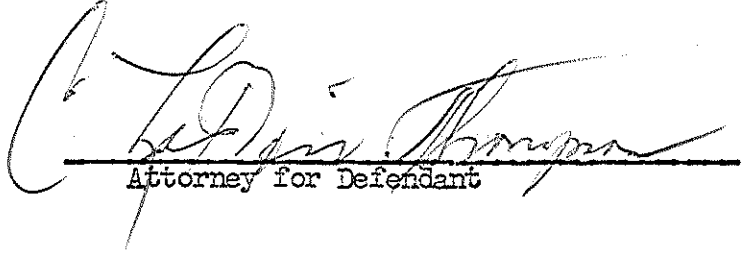
ANSWER.

HARRY L. (PETE) DOLIVE
PLAINTIFF
VS
MRS. LOUIS BAKESTER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

COMES THE DEFENDANT AND FOR ANSWER TO THE COMPLAINT IN SAID
CAUSE, AND TO EACH COUNT AND TO EACH PHASE THEREOF, SEPARATELY AND
SEVERALLY, SAYS:

1. NOT GUILTY


Attorney for Defendant

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon MRS. LOUIS BANKESTER 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 the same, then and there to answer the complaint of HARRY L. (PETE) DOLIVE.

Witness my, this 23rd day of May, 1956.

Alice J. Duck
Clerk

HARRY L. (PETE) DOLIVE

PLAINTIFF

VS

MRS. LOUIS BANKESTER

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

1.

The Plaintiff claims of the Defendant the sum of NINE HUNDRED SIXTY EIGHT and 14/100 (\$968.14) DOLLARS damages for that on or about the 29th day of August, 1955, and at divers times prior thereto, the Defendant's cattle entered into and upon the Plaintiff's land and damaged and destroyed personal property belonging to the Plaintiff to-wit: his garden, sweet potatoes, irish potatoes, shrubbery, flowers, fruit trees, fence, wearing apparel and linens, to Plaintiff's damage to said amount of NINE HUNDRED SIXTY EIGHT and 14/100 (\$968.14) DOLLARS, and the Plaintiff avers that the Defendant, as the owner of the cattle, voluntarily permitted them to run at large, the said cattle entered upon the lands of the Plaintiff and destroyed the Plaintiff's personal property as aforesaid, all to the loss of the Plaintiff in the aforesaid amount.

2.

The Plaintiff claims of the Defendant the sum of NINE HUNDRED SIXTY EIGHT and 14/100 (\$968.14) DOLLARS for a trespass by the Defendant knowingly permitting her cattle to run at large and trespass upon the Plaintiff's tract of land, to-wit:

South 3/4 of the Northeast quarter of the Northwest quarter and Northwest quarter of the Northwest quarter and that part of the Northwest quarter of the Northeast quarter which lies West of Bay Minette Creek, all in Section 4, Township 4 South, Range 2 East, Baldwin County, Alabama.

The said cattle while so trespassing damaged and destroyed for the Plaintiff the following described personal property: his garden, sweet potatoes, Irish potatoes, shrubbery, flowers, fruit trees, fence, wearing apparel and linens, on or about the 29th day of August, 1955, all to the damage of the Plaintiff in the amount of NINE HUNDRED SIXTY EIGHT and 14/100 (\$968.14) DOLLARS.

Walters & Brantley

BY:

Robert M Brantley
Attorneys for the Plaintiff

The Plaintiff demands a trial by jury.

Walters & Brantley

BY:

Robert M Brantley
Attorneys for the Plaintiff