

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are commanded to summon GEORGE FULLER, JR., 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 CLAUDE YANCEY

WITNESS my hand, this 3 day of October, 1958.

W. J. French
Clerk

CLAUDE YANCEY

PLAINTIFF

VS

GEORGE FULLER, JR.

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW

CASE NO. 3671

1.

The Plaintiff claims of the Defendant FOURTEEN HUNDRED (\$1400.00) DOLLARS damages for that the Defendant did knowingly and willfully trespass on the lands of the Plaintiff, which lands are described as follows:

All of the East Fractional Section 24, Township 4 South,
Range 1 East, Baldwin County, Alabama,

and did without the Plaintiff's consent or permission cut down 97 gum trees, 33 Bay trees and 5 hickory trees, all to the loss of the Plaintiff in the aforesaid amount, on to-wit, September 30th, October 1st and October 2nd, 1958.

2.

The Plaintiff claims of the Defendant FIFTEEN HUNDRED (\$1500.00)

DOLLARS as damages for a trespass by the Defendant on the following described land to-wit:

All of the East Fractional Section 25, Township 4 South,
Range 1 East, Baldwin County, Alabama,

belonging to the Plaintiff and for the cutting and removing of timber therefrom on to-wit, September 30th, October 1st and October 2nd, 1958.

Wiltors & Brantley

BY:

Robert M Brantley
Attorneys for the Plaintiff

The Plaintiff demands a trial by jury.

Wiltors & Brantley

BY:

Robert M Brantley
Attorneys for the Plaintiff

Ex Oct 4, 1958

CLAUDE YANCEY,

Plaintiff,

vs.

GEORGE FULLER, JR.,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NUMBER 3671.

DEMURRER:

Now comes the Defendant, by his Attorney, and for demurrer to the complaint, and to each and every count thereof, separately and severally, assigns separately and severally, the following:

1. It does not state a cause of action.
2. No facts are alleged on which the relief sought can be granted.
3. No facts are alleged to show that the property described in the complaint belongs to the Plaintiff.
4. No facts are alleged to show that the property described in the complaint is in the possession of the Plaintiff.
5. No facts are alleged to show that the Plaintiff has any right to maintain this suit.
6. The allegations of the complaint are vague, indefinite and uncertain.
7. The allegations of the complaint are conclusions of the pleader.
8. No facts are alleged to show that the timber described in the complaint was not cut with the consent of the owner thereof.
9. No facts are alleged to show that the timber described in the complaint was the property of the Plaintiff at the time it was cut.
10. No facts are alleged to show that the Plaintiff owned the timber described in the complaint at the time it was cut.

11. No facts are alleged to show that the Defendant was not the owner of the lands described in the complaint.

12. No facts are alleged to show that the Defendant was not the owner of the timber described in the complaint.



Attorney for Defendant.