

E. M. MOBLEY,

PLAINTIFF

VS

HENRY E. EVINS,

DEFENDANT

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

) AT LAW

) NO. 4125

PLEA

Comes now the Defendant in the above styled cause and amends his answer to the Plaintiff's complaint by adding the following count:

2.

That the money received by the Defendant from the Plaintiff was for an option to purchase a plot of land owned by the Defendant in Baldwin County, and that the Plaintiff failed or refused to exercise his option, hence he ought not recover.

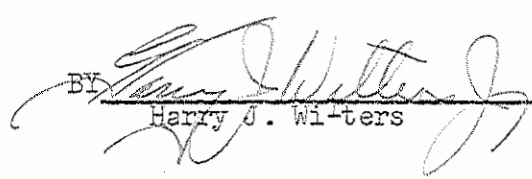
FILED

SEP 13 1960

ALICE J. DUCK, Clerk

WILTERS & BRANTLEY

BY


Harry J. Wilters

E. M. MOBLEY,

PLAINTIFF

VS

HENRY E. LEVINS,

DEFENDANT

PLEA

FILED

SEP 13 1969

ALICE J. DUCK, Clerk

E. M. MOBLEY

PLAINTIFF

VS

HENRY E. LEAVINS

DEFENDANT

)

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

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

1.

That the matters alleged in the Plaintiff's complaint are untrue.

Wilters & Brantley

BY:

Wilters & Brantley
Attorneys for the Defendant

*Filed 3-18-67
Wilters & Brantley
clerk*

E. M. MOBLEY

PLAINTIFF

VS

HENRY E. LEAVINS

DEFENDANT

ANSWER

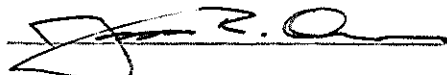
E. M. MOBLEY,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	
vs.	)	BALDWIN COUNTY, ALABAMA
HENRY E. LEAVINS,	)	AT LAW.
Defendant.	)	NUMBER 4125.

Now comes the Plaintiff in the above styled cause and amends the complaint heretofore filed in this cause on January 7, 1960, so that as amended the defendant's name will appear, "Henry E. Levens".

FILED

2-16-1960

ALICE J. DUCK, CLERK
REGISTER


Attorney for Plaintiff.

4175-

FILED

2-16-60

ALICE J. DUCK, CLERK
REGISTER

E. M. MOBLEY

PLAINTIFF

VS

HENRY E. LEAVINS

DEFENDANT

)

IN THE CIRCUIT COURT OF

)

BALDWIN COUNTY, ALABAMA,

)

AT LAW

)

)

Comes now the Defendant and for plea of misnomer says:

His true name is Henry E. Levens and not Henry E. Leavins as alleged in the complaint; that he has never been known or called by the name of Henry E. Leavins which he is ready to verify, and prays judgment that the complaint be abated.

✓ Henry E. Levens

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Henry E. Levens, who being by me first duly sworn, deposes and says: that he has read the above plea of misnomer and that the facts stated therein are true.

✓ Henry E. Levens

Sworn to and subscribed before me on this 9th day of February, 1960.

FILED

FEB 10 1960

AUCE I. DEK, CLERK
REGISTER

Henry J. Wilkins, Jr.
Notary Public, Baldwin County, Alabama

4125

RECEIVED
FEB 10 1960
U.S. DEPT. OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

TO : DIRECTOR, FBI (100-44125)

FROM : SAC, NEW YORK (100-100000)

SUBJECT: [Illegible]

FILED

FEB 10 1960

ALICE J. DUCK, CLERK
REGISTER

RECEIVED

TO : DIRECTOR, FBI (100-44125)

FROM : SAC, NEW YORK (100-100000)

SUBJECT: [Illegible]

RE: [Illegible]

RE: [Illegible]

RE: [Illegible]

RE: [Illegible]

RE: [Illegible]

RE: [Illegible]

RE: [Illegible]

RE: [Illegible]

RE: [Illegible]

RE: [Illegible]

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon HENRY E. LEAVINS to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at place of holding the same, then and there to answer the complaint of E. M. MOBLEY.

WITNESS my hand this 7 day of January, 1960.

Alice J. Duck
Clerk.

Defendant's address:
Robertsdale, Alabama

E. M. MOBLEY,	!	IN THE CIRCUIT COURT OF
Plaintiff,	!	
vs.	!	BALDWIN COUNTY, ALABAMA
HENRY E. LEAVINS,	!	AT LAW.
Defendant.	!	4125

The Plaintiff claims of the Defendant SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$650.00) for money on the 1st day of December, 1959, received by the Defendant to the use of the Plaintiff, which sum of money, with the interest thereon is still unpaid.

[Signature]
Attorney for Plaintiff.

Plaintiff demands a trial of
said cause by a Jury.

[Signature]
Attorney for Plaintiff.

FILED
JAN 7 1960

ALICE J. DUCK, Clerk

Received 7 day of Jan 1960
and on 11 day of Jan 1960
I served a copy of the within B & C
on Henry E. Leavins

By service on _____

TAYLOR WILKINS, Sheriff

By Stadham D. S.

Sheriff claims 50 miles at

Ten Cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff

BY 62
DEPUTY SHERIFF

R. Dale, Ala

We the jury find
for the plaintiff
in the amount of
650.00 plus interest
at 6% to date.

Almonah.

71542

SUMMONS AND COMPLAINT

E. M. MOBLEY,

Plaintiff,

vs.

HENRY E. LEAVINS,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW.

FILED

JAN 7 1960

ALICE J. DUCK, Clerk

JAMES R. OWEN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

ND4125-
E.M. Mobley
is.
Henry E. Levin

JURY LIST - FALL SESSION
SEPTEMBER 12, 1960

- ~~1. Boykie, William E., Laborer, Robertsdale~~
2. Bryant, Woodrow, Farmer, Stockton
- ~~3. Emonds, Isaac, Farmer, Silverhill~~
- ~~4. Bauer, John, Farmer, Summerdale~~
- ~~5. Clark, H.L., Brookley Field, Bay Minette~~
- ~~6. Allegri, V.J., Jr., Farmer, Belforest~~
- ~~7. Lovell, M.A., Jr., Farmer, Loxley~~
- ~~8. Eiland, Clarence S., Millman, Bay Minette~~
- ~~9. Cooper, Quitman, Bldg. Supply Dealer, Gulf Shores~~
- ~~10. Daring, Rudolph A., Merchant, Foley~~
11. Davidson, Jerry, Ala. Power Co., Bay Minette
12. Durant, Joe C., Farmer, Bay Minette
- ~~13. Durant, Percy N., Merchant, Bay Minette~~
- ~~14. Dutcher, Wilson, Jeweler, Fairhope~~
- ~~15. Dvorak, Joseph, Merchant, Silverhill~~
16. Dyass, Albert, Merchant, Stapleton
17. Laurendine, Leonard, Farmer, Mag. Spgs.
- ~~18. Lyrene, George A., Farmer, Silverhill~~
- ~~19. Malone, T.E., Merchant, Fairhope~~
- ~~20. Mason, Jimmy, Salesman, Fairhope~~
- ~~21. Mathews, Charles H., Furniture, Bay Minette~~
- ~~22. McKenzie, Elroy, Jr., Farmer, Fairhope~~
- ~~23. Mitchell, Fred, Jr., Service Station, Stapleton~~
- ~~24. Mosley, A.A., Builder, Stapleton~~
- ~~25. Murphy, William R., Plant Manager, Robertsdale~~
- ~~26. Owen, I.D., Jr., Merchant, Bay Minette~~
- ~~27. Pearson, Donald, Farmer, Robertsdale~~
- ~~28. Roberts, Howard, Civil Service, Stapleton~~
29. Sirmon, Arthur, Farmer, Belforest
30. Sirmon, A.D., Farmer, Daphne
- ~~31. Schroeder, Walter, Painter, Elberta~~
- ~~32. Sheldon, Edward, Brick Layer, Fairhope~~
33. Stripline, Fred, Television Repair, Robertsdale
- ~~34. Straka, Fred, Trucker, Robertsdale~~
- ~~35. Suddith, Jack, Office Manager, Bay Minette~~
- ~~36. Trawick, Walter, Laborer, Bay Minette~~
37. Vasut, Charles F., Television Repair, Robertsdale
- ~~38. Waters, Orville Clyde, Merchant, Bay Minette~~
- ~~39. Sewell, Devore, Businessman, Loxley~~
- ~~40. Lund, Geoffrey, Chemist, Spanish Fort - Daphne~~
- ~~41. Cooper, Nolan, Jr., Farmer, Robertsdale~~
- ~~42. Alexander, W. Silsby, Jr., Plumber, Bay Minette~~
- ~~43. Langston, Shelby, Brookley Field, Bay Minette~~
- ~~44. Crawford, Russell M., Electrician, Bay Minette~~
- ~~45. Howard, Oscar, Merchant, Bay Minette~~
- ~~46. Johnson, Manford, Newport, Bay Minette~~
- ~~47. Walker, W. Kirby, Railroad, Bay Minette~~
- ~~48. Gray, Cane P., Oil Distributor, Bay Minette~~
- ~~49. Wrenn, Walter P., Fleet, Bay Minette~~
- ~~50. Lehner, Charles K., Health Dept., Bay Minette~~
51. Murrah, Wendel A., Production, Bay Minette
- ~~52. Mooren, Uhle, Newport, Bay Minette~~
53. Miller, Ernest, Ala. Power Co., Bay Minette
54. McKinney, Fred, A.P.C., Bay Minette
- ~~55. McGill, Jake M., Insurance, Bay Minette~~
- ~~56. Lynd, Joe E., Plumber, Bay Minette~~
- ~~57. Knight, Robert W., Clerk, Bay Minette~~
- ~~58. Lyles, C.C., Real Estate, Bay Minette~~
- ~~59. Easley, Ted, Baldwin Pole & Piling Co., Bay Minette~~

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E. M. MOBLEY,)
Plaintiff,)
Vs)
HENRY E. LEAVINS,)
Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW. NO. 4125

MOTION FOR NEW TRIAL

Comes now the Defendant, by his Attorney, and moves this Honorable Court to set aside the judgment heretofore rendered in this cause in favor of the Plaintiff and grant to the Defendant a new trial and as grounds for such motion, assigns, separately and severally, the following:

1. The judgment is contrary to the law.
2. The judgment is contrary to the evidence.
3. The judgment is contrary to the law and the evidence.
4. The verdict of the jury is contrary to the oral charge given by the Court.
5. The verdict of the jury is excessive.

FILED

OCT 14, 1960

Kenneth Cooper
Attorney for Defendant (

AUG 1 1960
CLERK, REGISTER

ORDER:

The above motion having this date been presented to me is hereby continued until Nov 9th, 1960, at 10 o'clock, A.M.

Ordered on this 14th day of October, 1960.

Robert M. Stier
Judge

11/9/60: The foregoing motion being heard and considered, the Court is of the opinion that the motion should be and it is hereby reversed and denied.
1 filed as per page