

NORMA AIKEN,

Plaintiff.

vs.

BENJAMIN F. McMILLAN, SR.,  
AND A. B. CROSBY,  
Defendants.

CIRCUIT COURT OF BALDWIN COUNTY.

Ejectment.

INTERROGATORIES PROPOUNDED SEPARATELY AND SEVERALLY TO  
DEFENDANTS BENJAMIN F. McMILLAN, SR., AND A. B. CROSBY  
UNDER SECTION 4049 OF THE CODE OF ALABAMA, 1907.

1. Please state whether or not you claim any right,  
title or interest in or to that certain parcel of land in Bald-  
win County, Alabama, described as follows:

"So much of the confliction between the tract or  
claim of Louis Baudin, which is Section 40, Town-  
ship 1 North, Range 2 East, and the portion of the  
claim of Francis Girard known as Section 44, Town-  
ship 1 North, Range 2 East, as lies South of Bayou  
Jessamine"

2. If you say that you do claim any right, title or  
interest in or to the above described parcel of land, then please  
state exactly how your claim to said land arises.

3. Please state each conveyance, instrument or docu-  
ment under which you claim some right, title or interest in or  
to the above described land, identifying such conveyance, in-  
strument or document by its date, and the names of the parties  
thereto, or in some other manner.

4. Please state exactly what right, title or interest  
you claim in or to the parcel of land described in the first in-  
terrogatory, and if you have not already done so, please state  
fully and in detail how you claim to have derived such right,  
title or interest in such property.

5. If you claim under a deed from Varice Nicholas et  
als. to Thomas Greig and Joaquine Eslava, dated on, to-wit, the

3rd day of June, 1845, please state whether, of your own personal knowledge, Varice Nicholas or any of the other grantors in said deed ever entered into possession of the land described in the first interrogatory, and if so, state exactly when.

6. Please state, if you know, of your own personal knowledge, where Varice Nicholas and where each of the other grantors in the deed to Thomas Greig and Joaquine Eslava, above referred to, lived on the 3rd day of June, 1845.

7. Please state of your own personal knowledge whether or not Thomas Greig or Joaquine Eslava ever took possession of the property described in the deed above referred to, and if so, when.

8. Is it not a fact that both Thomas Greig and Joaquine Eslava lived in Mobile, Alabama, and is it not a fact that the land above described was at that time and has since been unenclosed wild lands which have not been cultivated and on which no one lived?

9. Please state whether or not you claim any right, title or interest in or to said land under a deed from one Edwar Fisher and wife to Robinson and McMillan dated October 14th, 1880.

10. Please state, if you know, of your own personal knowledge, where Edwar Fisher and his wife lived at the time of the deed last above referred to.

11. Please state whether or not Robinson and McMillan ever took possession of the land described in said deed from Edwar Fisher and wife, and if you say that they did, then please state exactly what the said Robinson and McMillan did at the time you claim that they took possession of said land.

12. Please state exactly what part of the land described in the deed from Edwar Fisher and wife to Robinson and McMillan you say that the said Robinson and McMillan took possession of.

13. Please state whether or not Robinson and McMillan entered upon said land at the time they received the deed from

Edwar Fisher and wife, and if you say that they did, then please state which one of them entered upon said land and the exact point where he entered upon the same, and state exactly what he did at the time he entered upon said land, how long he remained thereon and when he next returned thereto.

14. If you say that Robinson and McMillan or either of them began to cut timber on the land described in the deed from Edwar Fisher and wife to Robinson and McMillan, then please state exactly where, on the land described in said deed, the said parties cut timber. State the exact amount of timber cut, giving as nearly as you can the number of trees that were cut and the number of men and the names of the men employed in the cutting, also the length of time occupied in the cutting.

15. Please state whether or not you or either of you remained upon the land during the time that this cutting took place.

16. If you did not remain upon the land, then state exactly where they were cutting when you left it and state exactly how many trees they had cut.

17. Please state whether or not, of your own personal knowledge, any trees were cut and removed from that parcel of land described in the first interrogatory, between October 14th, 1880 and August 1st, 1884.

18. If you say that you know, of your own personal knowledge, that any trees were cut off that parcel of land described in interrogatory one above, between the 14th day of October, 1880, and the 21st day of August 1884, then please state exactly how many trees were cut from said parcel of land between said dates. State as nearly as you can the number of man employed in cutting said trees, and state as nearly as you can the exact time consumed in the cutting of said trees, and whether or not said cutting was on more than one occasion, and if so, on how many occasions said cuttings took place.

19. Please state, of your own personal knowledge, exactly what disposition was made of said trees.

20. Please state whether or not Robinson and McMillan conveyed whatever right, title or interest they had in and to said lands described in the deed from Edwar Fisher and wife to them to J. Pollock on August 21st, 1884.

21. Please state whether or not you or either of you claim any right, title or interest in or to said land under a deed from Robinson and McMillan to J. Pollock dated August 21st, 1884.

22. Please state whether or not, of your own personal knowledge, J. Pollock was ever upon the land described in the deed from Edwar Fisher and wife to Robinson and McMillan.

23. Please state whether the said J. Pollock cut any timber from the land described in the deed of Edwar Fisher and wife to Robinson and McMillan, and if so, state as nearly as you can the exact number of times that the said J. Pollock cut timber from the said lands, the quantity of timber that he cut, the length of time occupied in each of the cuttings and what disposition was made of the timber cut.

24. Please state whether or not, of your own personal knowledge, J. Pollock ever cut any timber from that parcel of land described in the first interrogatory.

25. If you say that he did cut timber from the land just referred to, then please state exactly on what part of said land said timber was cut, the exact amount cut, the exact time it was cut, as nearly as you can give it, and the number of men employed in the cutting, also what disposition was made of said timber.

26. Please state whether or not J. Pollock ever entered into possession, personally, of the land described in a deed from Robinson and McMillan to J. Pollock. If so, please state exactly what part of said land he entered upon and what he did when he

entered upon same; how long he continued thereon and how frequently he returned to said land.

27. Please state fully and in detail every act of possession by J. Pollock, or his agents, upon the land described in the deed from Edwar Fisher and wife to Robinson and McMillan. State exactly when and where such act of possession took place and how long it continued, and if you cannot state these matters exactly, then state them as nearly as you can.

28. Is it not a fact that J. Pollock lived in Mobile and never came upon the land described in the deed from Edwar Fisher and wife to Robinson and McMillan or any part thereof?

29. Please state whether or not you claim any right, title or interest under a deed from J. Pollock to the Stockton Lumber Company, dated the 13th day of March, 1891.

30. If you say that you do claim some right, title or interest under the deed just above referred to, please state whether the Stockton Lumber Company ever entered into possession of that part of the land described in said deed which was included in the deed from Edwar Fisher and wife to Robinson and McMillan, above referred to, and if so, please state exactly what part of said lands said Stockton Lumber Company entered upon and what they did when they entered upon the same.

31. If you say that the Stockton Lumber Company cut timber from the said land, then please state how many times they cut timber from said land; state the exact amount of timber cut, the number of men employed in the timber operations, and the length of time of each of the cuttings of timber, and if you cannot state these matters exactly, then state them as nearly as you can.

32. Please state whether or not the Stockton Lumber Company, between the 14th day of September, 1898, and the 31st day of August 1909, ever cut any timber on that parcel of land described in interrogatory one above. If you say that it did, then please state the exact time, or the time as nearly as you can give it, of each of said cuttings; state the number of trees

cut, as nearly as you can, the number of men employed in the cutting and the length of time consumed in each of said cuttings.

33. Please state exactly how the timber cut from said parcel of land was disposed of.

34. Please state whether or not the Stockton Lumber Company, a corporation, has ever been dissolved and if so, exactly when the said corporation was dissolved, or, if you cannot give the exact date, give it as nearly as you can.

35. Please state who the directors of the corporation were at the time the same was dissolved.

36. Please state what was done on the land described in the deed from Stockton Lumber Company to A. B. Crosby dated September 14th, 1898, by the said A. B. Crosby.

37. Is it not a fact that all that the said A. B. Crosby used any part of the land described in said deed for was to pasture cattle on a part thereof?

38. Is it not a fact that the said A. B. Crosby simply drove his cattle across the river onto what is known as Fisher's Island and let them remain there during the Fall and winter, taking them out in the Spring?

39. Is it not a fact that Fisher's Island is the only portion of the land conveyed by the deed from Stockton Lumber Company to him dated September 14th, 1898, on which the said A. B. Crosby undertook to pasture his cattle?

40. Please state fully and in detail exactly what acts of possession the said A. B. Crosby exercised on the land described in the deed from Stockton Lumber Company to him dated September 14th, 1898, and separately every act of possession on that parcel of land described in interrogatory one, giving fully and in detail every act of possession by the said A. B. Crosby which you can recall, stating the character of the act, the duration thereof, and when and where the same occurred as nearly as you can.

Harry G. Smith & Cappel  
Attorneys for Plaintiff.

STATE OF ALABAMA )  
COUNTY OF MOBILE )

Personally appeared before me, Lillie A. Booth, a Notary Public in and for said County in said State, WM. E. CAFFEY, who, upon oath, deposes and says that he is one of the attorneys for the plaintiff in the above entitled cause, and that the above and foregoing interrogatories, if well and truthfully answered will be material evidence for the plaintiff in said cause.

Wm. E. Caffey

Subscribed and sworn to before me  
this 19th day of January, 1917.

Lillie A. Booth  
Notary Public, Mobile County, Alabama.



NORLA ATKIN,

Plaintiff.

-VS-

CIRCUIT COURT: BALDWIN CD

BENJAMIN F. McMILLAN AND A. B.

CRESBY, Defendants.

- 1- Defendant pleads in short by consent, the General Issue.
- 2- Defendants pleads "Not Guilty"

*McMillan Cresby*  
Attorneys for



Alma

Ms

Ms A. 9. 2

Ms A. 9. 2

Ms A. 9. 2

Ms A. 9. 2

Alum

73

# 1296

W. H. Miller Oct 11

John T. H. H. H.

W. H. H. H. H.



NORMA AIKIN,

PLAINTIFF.

VS.

B. F. McMILLAN & A. B. CROSBY,  
DEFENDANTS.

IN CIRCUIT COURT OF BALDWIN COUNTY.

EJECTMENT.

Comes A. B. Crosby and answering the interrogatories propounded to him, says:

1. I do claim the entire Section 44, Township 1. North, Range 2 East, known as the Francis Girard Tract.
2. I purchased the land from the Stockton Lumber Company in 1898.
3. My chain of record title, as I understand it, is as follows: United States to Francis Girard; Louis Bardin and others to Thomas Grieg in 1845; Edwar Fisher and others to Robinson & McMillan; Robinson & McMillan to J. Pollock; J. Pollock to Stockton Lumber Company; Stockton Lumber Company to me. *I do not know that these are all* All of these deeds are recorded in Baldwin County, Alabama. I have not the book and page before me. They are all of the conveyances that I now recall, but I claim under all of the conveyances introduced by the plaintiff in the case of B. F. McMillan vs. Norma Aikin, recently tried in the Circuit Court of Baldwin County. *Myself, Augustus and John Pollock* I also claim by adverse possession for more than 10 years of myself and others under whom I claim.
4. I claim the entire title to said land.
5. I do not know the parties enquired about in this interrogatory personally. I think only Francis Girard and his heirs had actual possession of the land referred to before Robinson & McMillan got it but I think the grantees were in possession of and claiming the land when the deed from Bardin to them was made.
6. I do not know where they lived at said time.
7. I do not know personally about the matters enquired about.
8. I think the land was unenclosed land. I do not know whether it would be described as wild lands or not. It has not been cultivated and no lived on it except, as I understand it, Stockton Lumber Company of B. F. McMillan or some of their employees had their camp on it.
9. I claim title to the land under my deed from the Stockton Lumber Company. Stockton Lumber Company ~~and they~~ had title both by record title deeds and by adverse possession which *came* to me under their deed.
10. I do not know personally where the parties lived at the time referred to.
11. Robinson & McMillan and their subsequent grantees had possession of and claimed the Francis Girard land ever since I have known it until they sold to me. I cannot answer this question more in detail from personal knowledge except to say that the land has always been known as the property of them and their subsequent grantees since I have known it.
12. They had possession of the entire Francis Girard Tract. I do not know from personal knowledge the exact day when they took possession of the land.
13. I cannot answer the first question in this interrogatory from personal knowledge. I think both of them went on the land. I do not know the exact point on the land where they first got on it. They conducted timber operations on the land. I do not know how long they remained on the land at any one time but their timber operations required them or their employees to keep up their operations on the land continuously.
14. *I think* They cut timber ~~all~~ over the land. *principally between May and November* I do not know the exact amount. I do not know the number of trees they cut. I cannot tell the number of men they employed. Their timber operations have been going on on the land ever since I knew it. When I speak of Robinson & McMillan I mean

them and the subsequent grantees from them in the chain of title above referred to.

15. I have been on the land and think I have been there while the cutting was being done.

16. As stated, <sup>I think</sup> the cutting was <sup>generally</sup> all over the land. I cannot answer this question more specifically.

17. To the best of my recollection, yes.

18. I am unable to answer the first question of this interrogatory exactly. I did not count the number of men employed, and cannot tell now how many. I cannot tell the exact time they consumed in actual cutting. The cutting was on more than one occasion. I do not know on how many occasions. Part of the time they were cutting and cleaning roads.

19. I presume they were either sold or sawn into lumber.

20. The deed speaks for itself.

21. I claim under the deeds as stated above.

22. I do not know.

23. I do not know.

24. I do not recall seeing Pollock cutting the timber.

25. The answer to question 24 covers this.

26. I did not see Pollock go on the land personally.

27. I think Robinson & McMillan and their Agents and subsequent grantees are the only ones who had actual possession of the land. I know that Mr. B.F. McMillan has always until he sold the land itself to me had, either for himself or his principals, exclusive possession of it after which he had exclusive possession of the timber. His possession was on all the land, and I cannot recall every detail and act. The acts continued as long as they had it.

28. I think Pollock lived in Mobile. The rest of this question has been fully answered.

29. I claim the entire land as hereinabove stated.

30. Stockton Lumber Company through its Agents did have possession of the Francis Girard Tract, Section 44, Township 1 North Range 2 East, they had possession of the entire said tract. They cut the timber, and carried on their timber operations there.

31. I cannot tell you how many times they cut nor the amount or number of men but their timber operations I think were continuous.

32. Stockton Lumber Company through its Agents or employees did cut timber on the Francis Girard Tract Section 44, Township 1 North, Range 2 East. I think they were operating for timber the entire time they had it. I cannot be more exact in answer to this interrogatory. I cannot give you the number of trees, or number of men or time consumed in actually cutting, but their operations were continuous.

33. I think it was either sold or sawn.

34. I am informed that the Stockton Lumber Company has been dissolved. I do not know the date.

35. I do not know.

36. When I bought the land I posted it to keep off trespassers, and used it for a cattle range. I assessed and paid taxes on it.

38. I did drive cattle on to the land and let them remain there in the Fall and Winter. I think I took them out in the Spring as this was usual when people in that locality put their cattle in the swamp.

39. Fishers Island is a portion of the land conveyed to me on which I pastured cattle.

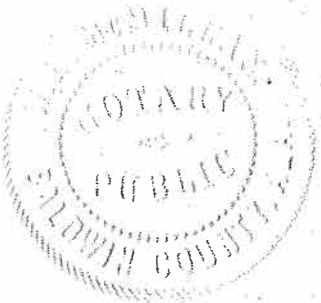
40. I have answered this interrogatory as nearly as I can recall just now. It is impossible for me to recall at this moment every detail and act of possession but I used the land in every way it could be used openly and in such manner as to give every one notice of my claim of title and I had exclusive possession of same. My acts of possession and claim were as all owners used that land and they have been exercised continuously.

When I am speaking of this land I am speaking of the Francis Girard Tract, Section 44, Township 1 North, Range 2 East, or the piece of land on Bayou Jessamine in Baldwin County, Alabama, which is generally known as the Francis Girard Tract. I cannot tell you except from hearsay anything about the conflict with Baudin. No Baudin title has been asserted to the land except for the past very few years, and they have never interfered with my possession of it, except that recently they have stated that they had a claim to it.

A B Grosley

Sworn to and subscribed before me this  
— day of April, 1917.

W. H. McMillan  
NOTARY PUBLIC, BALDWIN COUNTY, ALABAMA.





Norma Aikin,  
Plaintiff.

-vs-

Benjamin F. McMillan, Sr.,  
and A. B. Crosby,  
Defendants.

Circuit Court of  
Baldwin County.

Ejectment Suit.

Comes B. F. McMillan, and answering the interrogatories propounded to him, says:

1. I do not claim the land <sup>now</sup> as I sold it to A. B. Crosby some time ago.

3. I did claim the Francis Girard Tract Section 44, Township 1 North, Range 2 East, and the chain of title was as follows: United States to Francis Girard; heirs of Francis Girard to Robinson and McMillan; deed from Fisher and Others to Robinson and McMillan; Robinson and McMillan to J. Pollock; J. Pollock to Stockton Lumber Company; Stockton Lumber Company and its stockholders to B. F. McMillan. These instruments, except the <sup>one from Pollock</sup> last one recorded on the records of Baldwin County <sup>are all</sup> are the same conveyances used in the suit for damages by B. F. McMillan against Norma Aikin and John G. Aikin tried in the Baldwin County Circuit Court a short time ago. They are all the instruments of record that I now recall, but I have had for myself, for the firm of Robinson and McMillan, for Pollock and for Stockton Lumber Company absolute and exclusive possession of this land for considerably over 30 years until I sold to A. B. Crosby some time ago retaining the timber rights for 15 years and since then was in possession of the timber and Crosby was in possession of the land, <sup>both claiming under Stockton Lumber Co.</sup>

4. I do not now claim any interest in the land because I have sold it as stated.

5. I did have the deed referred to in this interrogatory and it was one of the links in my chain of title. I had possession of the land after I got that deed. <sup>I do not know personally about the other matters asked about in this interrogatory.</sup>

6. I do not know of my personal knowledge the facts asked about in this interrogatory.

7. I do not know of my personal knowledge the facts asked about in this interrogatory.

8. The land was unenclosed and had never been cultivated and no one lived on it except that my agents had their camp on it.

9. I do not claim the land now.

10. I do not know from personal knowledge.

11. Robinson and McMillan took possession of the entire Francis Girard Tract Section 44, 1 North Range 2 East. They timbered it and used it and leased it for a cattle range.

12. They took possession of the entire Girard Tract.

13. They did enter upon the land about the time they received said deed. Both of them went upon it. They entered upon the entire tract and started their operations as above named, but I do not know on what particular point of the land they disembarked first.

15. We were on the land part of the time the cutting was taking place.
16. I cannot tell you the particular point nor exactly how many trees.
17. My recollection is they got trees ~~all~~ over the tract *generally*
18. I cannot tell you how many trees they got between said dates. I cannot state the number of men employed. The timber operations were practically continuous during the time they had it.
19. The trees were either sawn or sold.
20. Robinson and McMillan did convey the Girard Tract <sup>by trust</sup> to J. Pollock which is one of the deeds in the chain of title.
21. As stated I do not claim the land now.
22. Not to my personal knowledge.
23. Not to my personal knowledge but I had it done as his agent. I do not recall the number of trees nor quantity of timber nor length of time consumed in the actual cutting. The timber was either sawn or sold.
24. He did not personally cut to my actual knowledge.
25. His agents cut timber all over the land. I cannot give you the exact amount cut nor the exact time consumed in cutting; nor the number of men employed in the cutting. The timber was sawn or sold.
26. I never saw Pollock actually on the land.
27. Robinson and McMillan acted as agents for him and used the land as his agents and with his permission just as they had been using it for themselves. The acts took place generally ~~all~~ over the land and continued while he had it. *principally below the bayou.*
28. Pollock did live in Mobile. I never saw him personally on the land.
29. I do not claim the land now as it has been sold to A. B. Crosby.
30. I do not claim the land or any right to it or the timber now.
31. I cannot tell how many times Stockton Lumber Company cut timber on the land nor the exact amount nor the number of men employed but their operations were continuous practically all the time they had it. Stockton Lumber Company did cut or had cut timber on the land during said dates. It is impossible to answer as to the exact times of the actual cutting or number of trees cut or number of men employed in the actual cutting or the time consumed in actual cutting.
32. *Yes. I am unable to state the exact time of the cutting, the number of trees, the number of men or time consumed*
33. The timber was either sawn or sold.
34. Stockton Lumber Company has been dissolved. I think it was dissolved about 1909. I cannot give you the exact date.
35. The directors I think were Murphy McMillan and my-self.
36. A. B. Crosby <sup>I understand</sup> used the land as a cattle range, posted it and paid taxes on it and assessed it <sup>for taxes</sup>. *for taxes. I was getting timber under the rights reserved to the deed to him.*
38. A. B. Crosby did put his cattle on the land. I did not see him while he was putting them there.
39. Fisher's Island is a portion of the land conveyed on which he pastured his cattle.

40. I cannot be more specific as to this and as I have stated in answer to interrogatory 36.

B F M Millan Jr.

Sworn to and subscribed before me

this 17 day of May, 1917.

B F M Millan  
NOTARY PUBLIC, BALDWIN COUNTY, ALABAMA.,

NORMA AIKEN,  
Plaintiff.

VS.

BENJAMIN F. McMILLAN, SR.,  
AND A. B. CROSBY,  
Defendants.

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA.

1. The plaintiff sues to recover possession of the  
following tract of land:

"So much of the confliction between the tract, or  
claim of Louis Bardin, which is Section 40, Township  
1 North, Range 2 East, and the portion of the claim of  
Francis Girard known as Section 44, Township 1 North,  
Range 2 East, as lies south of Bayou Jessamine, the  
said tract of land so sued for being situate in the  
County of Baldwin, State of Alabama"

of which said tract the plaintiff was in possession and upon  
which pending such possession, and before the commencement of  
this suit, the defendants entered and unlawfully withhold, to-  
gether with Five Thousand (\$5,000.00) Dollars for the deten-  
tion thereof.

*Leslie Hall*

*Harry J. Smith Caffey*  
Attorneys for Plaintiff.

Plaintiff demands a trial by jury.

*Leslie Hall*  
*Harry J. Smith Caffey*  
Attorneys for Plaintiff.

SUMMONS AND COMPLAINT

The State of Alabama {  
Baldwin County

Circuit Court

June 1st, 1916

To Any Sheriff of the State of Alabama :

You are hereby commanded to summon Benjamin F. Mc Millan Sr., and A.B. Crosby,

to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in the Circuit Court  
of Baldwin County, State of Alabama, at Bay Minette, against them the Defendant's

by Norne Aiken,

the Plaintiff

Witness my hand this 1st day of May 1916.

*T. W. Richardson*  
Clerk.

COMPLAINT

Plaintiff Versus

The plaintiff claims of the defendant

Dollars due by

Plaintiff's Attorney.

*Original*

STATE OF ALABAMA,

BALDWIN COUNTY.

CIRCUIT COURT

Norma Aiken

vs.

Plaintiffs

Benjamin F. Millan, Sr.,

and A.B. Crosby.

Defendants

SUMMONS AND COMPLAINT

May 30th,

1916

T.W. Riceman

Clerk

Defendant lives at

Stockton,

Leslie Hall,

H.E. Smith & Caffey.

Plaintiff's Attorney

Defendant's Attorney

Times Print, Bay Minette

Received in office

May 30th,

191

6

C.E. Eubanks

Sheriff

I have executed this Writ

this

14<sup>th</sup> day of June 1916

by leaving a copy of the within summons and complaint with

Benjamin F. W. Millan  
and A.B. Crosby

C.E. Eubanks

Sheriff

O.B. Richerson

Deputy Sheriff.



NORMA AIKEN,  
Plaintiff.

VS.

BENJAMIN F. McMILLAN, SR.,  
MURPHY McMILLAN AND GERALD  
BYRNES HALL,  
Defendants.

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY.

1. The plaintiff claims of the defendants the sum of Five Thousand (\$5,000.00) Dollars damages for the trespass by the defendants on the following tract of land, viz.,

"That portion of Section 40, Township 1, North, Range 2 East, known as the Louis Baudin tract, which lies north of Bayou Jessamine, formerly known as Bayou Forbeau"

belonging to the plaintiff, and for cutting timber thereon, viz., three hundred and three (303) gum trees.

2. The plaintiff claims of the defendants the sum of Five Thousand (\$5,000.00) Dollars damages for the trespass by the defendants on the following tract of land, viz.,

"That portion of Section 40, Township 1 North, Range 2 East, known as the Louis Baudin tract, which lies north of Bayou Jessamine, formerly known as Bayou Forbeau"

in the possession of the plaintiff, and for cutting timber thereon, viz., three hundred and three (303) gum trees.

3. The plaintiff claims of the defendants the further sum of Seven Thousand (\$7,000.00) Dollars damages for the trespass by the defendants on the following tract of land, viz.,

"So much of the confliction between the tract, or claim, of Louis Baudin which is Section 40, Township 1 North, Range 2 East; and the portion of the claim of Francis Girard known as Section 44, Township 1 North, Range 2 East, as lies south of Bayou Jessamine, formerly known as Bayou Forbeau, in Baldwin County, Alabama,"

belonging to the plaintiff, and for cutting timber thereon.

pass by the defendants on the following tract of land, viz.,

"So much of the confliction between the tract, or claim, of Louis Baudin, which is Section 40, Township 1 North, Range 2 East; and the portion of the claim of Francis Girard known as Section 44, Township 1 North, Range 2 East, as lies south of Bayou Jessamine, formerly known as Bayou Forbeau, in Baldwin County, Alabama,"

in the possession of the plaintiff, and for cutting timber thereon.

5. The plaintiff claims of the defendants the sum of Five Thousand (\$5,000.00) Dollars damages for the conversion by them of the following chattels, viz., three hundred and three (303) gum trees, the property of the plaintiff.

6. The plaintiff claims of the defendants the sum of Seven Thousand (\$7,000.00) Dollars damages for the conversion by them of the following chattels, viz., seven hundred thousand (700,000) feet of timber, the property of the plaintiff.

Leslie Hall  
Harry J. Smith & Tappan  
Attorneys for Plaintiff.

Plaintiff demands a trial by jury.

Leslie Hall  
Harry J. Smith & Tappan

SUMMONS AND COMPLAINT

The State of Alabama {  
Baldwin County { No. ....

Circuit Court

June 1st 1916

To Any Sheriff of the State of Alabama :

You are hereby commanded to summon Benjamin F. Mc Millan Sr., Murphy Mc Millan,  
and Gerald Byrnes Hall.

to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in the Circuit Court  
of Baldwin County, State of Alabama, at Bay Minette, against them the Defendant's

by Norma Aiken, the Plaintiff

Witness my hand this 1st day of June 1916.  
T. W. Peterson Clerk.

COMPLAINT

Plaintiff Versus

The plaintiff claims of the defendant

Dollars due by

Plaintiff's Attorney.

Original 1st  
all

STATE OF ALABAMA,

BALDWIN COUNTY.

CIRCUIT COURT

Orma Aiken,

vs.

Plaintiffs

Benjamin F Mc Millan ,et-al.

Defendants

IMONS AND COMPLAINT

June 1st 191 6

W. R. R. Clerk

Defendant lives at

Stockton.

Harry T Smith and Caffey.

Plaintiff's Attorney

Defendant's Attorney

Times Print, Bay Minette

Received in office

June 1st 191 6

C. E. Eubanks Sheriff

I have executed this Writ

this 17th day of June 191 6  
by leaving a copy of the within summons and complaint  
with

Benjamin F Mc Millan  
Maurice Mc Millan  
and Gerald Byrnes Hall

C. E. Eubanks Sheriff

G. B. Hall Deputy Sheriff.