

JOHN V. DUCK
~~DUCK & LACEY~~
Attorneys at Law
P. O. DRAWER A-J - FAIRHOPE, ALABAMA

M E S S A G E

R E P L Y

TO Mrs. Alice J. Duck
Bay Minette, Ala.

DATE

DATE January 25, 1967

Re: Stallworth vs. Harper. Civil No. 7308

Dear Mrs. Duck:

Please withdraw the Demurrer I filed in
captioned case.

Sincerely,

John V. Duck
(KF)

FILED

JAN 27 1967

SIGNED

JOHN V. DUCK

SIGNED

STATE OF ALABAMA
COUNTY OF BALDWIN

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon BEN F. HARPER, to appear and answer, plead or demur, within thirty days from the date hereof of this service, to a Bill of Complaint filed against him in Circuit Court, at Law, for said County and said State by MRS. CHRIS STALLWORTH.

Herein fail not, Due return make of this writ as the law directs.

Witness my hand this the 2nd day of December, 1966.

Alice D. Smith
CLERK OF COURT

MRS. CHRIS STALLWORTH,

Plaintiff

VS

BEN F. HARPER,

Defendant

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

7308

COUNT ONE:

Plaintiff claims of Defendant the sum of THREE THOUSAND EIGHT HUNDRED FIVE and No/100 (\$3,805.00) DOLLARS, due by promissory note made by him on, heretofore, to-wit, January 3rd, 1963, which sum of money, with interest thereon, is due and unpaid; and Plaintiff avers that in and by the terms of said note, the Defendant waived all rights of exemption under the laws of the State of Alabama, and Plaintiff claims the benefit of said waiver; Plaintiff claims the additional sum of \$761.00 as a reasonable sum as attorney fees for bringing this suit for that the Defendant in and by the terms of said note agreed to pay a reasonable attorney fee, and Plaintiff avers that said amount is a reasonable attorney fee for the bringing and prosecuting of this suit.

Executed 2-7-66
Taylor Wilkins Sh.
Ray Randall D.S.

Colman B. Bentley
ATTORNEY FOR PLAINTIFF

9308

BILL OF COMPLAINT

MRS. CHRIS STALLWORTH,

PLAINTIFF

VS

BEN F. HARPER,

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

DEFENDANT MAY BE SERVED

AT: 602 GAYFER AVENUE
FAIRHOPE, ALABAMA

Received 7 day of Dec 1966
and on 9 day of Dec 1966
served a copy of the within 8 cc
in Ben F. Harper
by service on Sam F. Hope

TAYLOR WILKINS, Sheriff
By Ray Randall

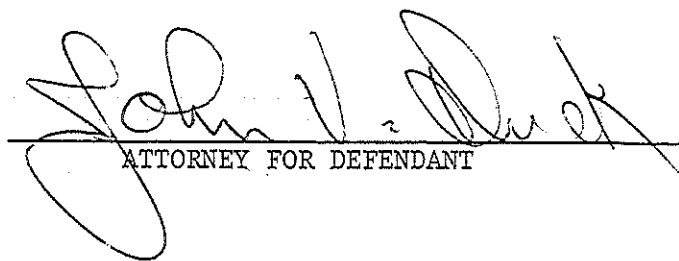
Sheriff claims 70 miles at
Ten Cents per mile Total \$ 7.00
TAYLOR WILKINS, Sheriff
By Ray Randall
DEPUTY SHERIFF

MRS. CHRIS STALLWORTH,)
 Plaintiff,)
vs.)
BEN F. HARPER,)
 Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW, CASE NO. 7308

MOTION TO WITHDRAW JURY DEMAND

Comes now the Defendant in the above styled cause, and withdraws a
motion for jury demand filed herein.


ATTORNEY FOR DEFENDANT

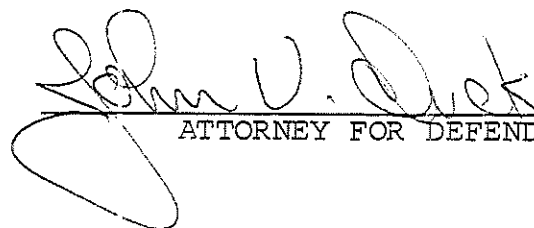
FILED
3-10 1967
ALICE I. DUCK, CLERK
REGISTER

MRS. CHRIS STALLWORTH,)	IN THE CIRCUIT COURT OF	
Plaintiff,)	BALDWIN COUNTY, ALABAMA	
vs.)	AT LAW	NO. 7308
BEN F. HARPER,)		
Defendant.)		

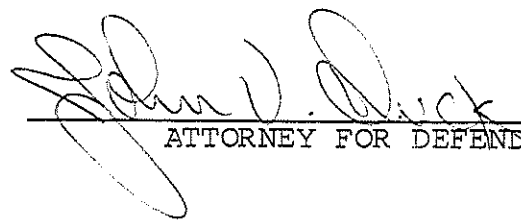
DEMURRER

Comes now the Defendant in the above styled cause and demurs to the Bill of Complaint filed herein, and for grounds thereof says:

1. Said Bill of Complaint does not state a cause of action.
2. That said Bill of Complaint does not state when the said note was payable.
3. That said Bill of Complaint fails to allege that the note is in default.

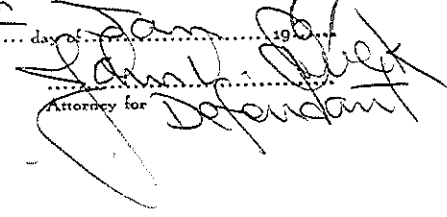

 ATTORNEY FOR DEFENDANT

Defendant respectfully demands a trial by Jury.


 ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This 12th day of January 1967

 Attorney for Defendant

FILED

JAN 13 1967

ALICE L. DUCK, CLERK
 REGISTER