

4345

EMANUEL OLIVAS

PETITIONER

VS

HERNDON H. WILSON,  
Recorder of the City  
of Mobile, Alabama,

RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

AT LAW

MO 4345

Upon reading and considering the verified Petition or Complaint for Mandamus, it is my opinion that the Petitioner or Plaintiff is entitled to the issuance of the Alternative Writ of Mandamus as therein prayed.

The Clerk will, therefore, issue an Alternative Writ of Mandamus as prayed for in said petition returnable to the Circuit Court of Baldwin County,

Alabama, at 2 P.M. on the 21 day of August, 1958.

Done this 18th day of August, 1958.

Hubert M. Wallace  
Circuit Judge

EMANUEL CLIKAS

PETITIONER

VS

HERNDON H. WILSON,  
Recorder of the City  
of Mobile, Alabama,

RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

AT LAW

No. 4345

Upon reading and considering the verified Petition or Complaint for Mandamus, it is my opinion that the Petitioner or Plaintiff is entitled to the issuance of the Alternative Writ of Mandamus as therein prayed. The Clerk will, therefore, issue an Alternative Writ of Mandamus as prayed for in said petition returnable to the Circuit Court of Baldwin County, Alabama, at \_\_\_\_\_ A.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 1958.

Done this 18th day of August, 1958.

\_\_\_\_\_  
Circuit Judge

201 231 251



County where the Petitioner's business, known as the Jubilee Restaurant, is located. Assuming the position of the City of Mobile to be true, your Petitioner should be tried in the Baldwin County Court. Title 37, Section 587 of the 1940 Code of Alabama as amended provides: "Where the city is situated within two or more counties, the appeal shall lie to the Circuit Court of the county where the transaction involved in the case took place".

WHEREFORE, the premises considered, Your Petitioner respectfully prays that your Honor will grant an alternative Writ of Mandamus or a rule nisi, directed to Herndon H. Wilson, as Recorder for the City of Mobile, Alabama, returnable to the Circuit Court of Baldwin County, Alabama, ordering and commanding the said Herndon H. Wilson as such recorder to forthwith approve the appeal bonds made by Emanuel Clikas or to appear at a time to be designated by your Honor and show cause why he should not do so; and your Petitioner prays for such other further or different relief, orders and judgments to which he may be entitled under the facts above alleged.

EMANUEL CLIKAS

BY:

Tolbert M. Brantley  
His Attorney

STATE OF ALABAMA

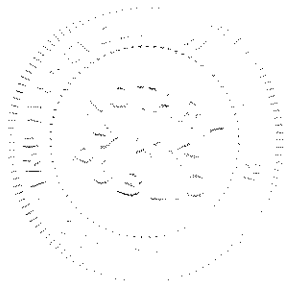
BALDWIN COUNTY

Before me, Evelyn Watts, a Notary Public, in and for said County, in said State, personally appeared Tolbert M. Brantley, one of the attorneys for Emanuel Clikas, whose name is signed to the foregoing petition and who is known to me, and who upon oath deposes and says that the facts stated in said petition are true and correct and that he is authorized to make this affidavit.

Tolbert M. Brantley

Sworn to and subscribed before me this 6<sup>th</sup> day of August, 1958.

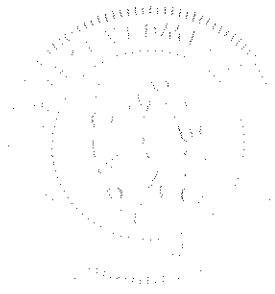
Evelyn Watts  
Notary Public, Baldwin County, Alabama



*Filed*  
*Aug. 6, 1958*

*Exp. Aug. 18, 1958*

770.4345'



EMANUEL CLIKAS

PETITIONER

VS

HERNDON H. WILSON, RECORDER  
OF THE CITY OF MOBILE, ALA.

RESPONDENT

MANDAMUS

FILED

AUG 6 1958

ALICE I. MUCK, Register

Received 18 day of Aug 1958

and on 18 day of Aug 1958  
I served a copy of the within Mandamus  
on Herndon H. Wilson,  
Recorder of the City of  
Mobile, Ala.

By service on

TAYLOR WILKINS, Sheriff

By Taylor Wilkins  
Sherriff

EMANUEL CLIKAS

PETITIONER

VS

HERNDON H. WILSON,  
Recorder of the City  
of Mobile, Alabama,

RESPONDENT

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

ALTERNATIVE WRIT OF MANDAMUS

TO HERNDON H. WILSON, RECORDER OF THE CITY OF MOBILE, ALABAMA:

Whereas Emanuel Clikas has filed in this Court and presented to the Honorable Hubert M. Hall a petition for an Alternative Writ of Mandamus commanding and ordering as is hereinafter set forth, and the said Judge of said Court has ordered the issuance of the Alternattive Writ so prayed for:

You are hereby ordered and commanded to forthwith approve and accept the bond of Emanuel Clikas, which is returnable to the Circuit Court of Baldwin County, Alabama, on his appeal from your Court for violation of Section 8 of the License Code of the City of Mobile adopted on to-wit, December 24, 1954, by doing business of vending machines within the police jurisdiction of the City of Mobile without having procured a license therefor; or else to appear before this Honorable Court on the 21 day of Aug, 1958, at 2:00 P.M. o'clock and show cause why you should not do so.

Witness my hand this 18 day of Aug, 1958.

Hubert M. Hall  
Clerk of the Circuit Court

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to serve a copy of the foregoing Alternative Writ of Mandamus on Herndon H. Wilson, Recorder of the City of Mobile, Alabama.

Witness my hand this 18 day of Aug, 1958.

Hubert M. Hall  
Clerk of the Circuit Court of Baldwin  
County, Alabama.

*Exp. Aug. 18, 1958*

4345

4345

Received \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
and on 18 day of Aug 1958  
I served a copy of the within what  
on Taylor W. Wilkins, Sheriff  
of the City of Miami, Fla.  
By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
BY Taylor Wilkins  
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