

ANDALUSIA CASKET COMPANY,

Plaintiff,

vs

MARIE L. MASK,

Defendant.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA. AT LAW,

No. _____

Comes the defendant and for answer to the complaint
pleads:

1. In short by consent the general issue.
2. Defendant denies the material allegations of the complaint.

B. J. McNeely
ATTORNEY FOR DEFENDANT.

Defendant demands that the issues in this cause be
tried by a jury.

B. J. McNeely
ATTORNEY FOR DEFENDANT.

The defendant suggests that the plaintiff claim the property
sued for under a conditional sale contract on which only a small
amount is due and she requests the court to require the Jury to as-
certain the amount of the unpaid balance of the purchase price of
the said property.

B. J. McNeely
ATTORNEY FOR DEFENDANT.

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Copy to N. H. & C.
2/5/34
Filed Feb. 5th 1934
W. A. Stone
Clerk.

Circuit Court, Baldwin County

Andrusia Casket Company

#20

VS.

Marie Mask

PLAINTIFF

DEFENDANT

BILL OF COST

CLERK'S FEES		Dollars	Cts.	AMOUNT BROUGHT FORWARD		\$	Cts.
Issuing Summons and Complaint	\$1 25	1	25	Transcript to Supreme Court, 15c per hundred words			
Copies of same, when over 200 words, 15c per 100	30		30	Copies, 5c per hundred words			
Issuing Alias Summons and Complaint	1 25			Citation to Appellee in Appeal, 20c per hundred words			
Entering Sheriff's Return on Summons and Complaint	20		20	Certificate with Seal, 50c. Without Seal	25		
Docketing Cause 25c. Ent. Appearance, 20c	45		45	Witness Certificate	25		
Subpoena for Witness	30			Taking Bond Not Above Mentioned	75		
Making Certificate of Judgment	50			Entering Order of Court not above named	30		
Filing	5		50	Administering Oath	25		
Trial and Incidents	75			Taking Bond for Costs of Non-Resident Plaintiff	75		
Entering Judgment, or copy of same	30			Copy of any paper not above named, 15c per hundred words			
Order for Continuance	10			Filing Writ of Prohibition and Entering Return	15		
Issuing Execution	50			Issuing Writ of Prohibition	75		
Docketing Execution	25			Issuing copies of same, 15c per 100 words			
Issuing copy of same	50			Filing Mandamus and Entering Return	15		
Entering Sheriff's Return on Execution, 15c per hundred words	20			Issuing Writ of Mandamus	75		
Final Record, 15c per hundred words				Issuing copies of same, 15c per 100 words			
Order for Alias Summons and Complaint	30			Total Clerk's Fees			
Order to Dismiss Cause	30			SHERIFF'S FEES			
Order to Set Aside Dismissal	30			Serving and Returning Summons	\$1 50		
Order Overruling Motion to Set Aside Dismissal	75			Serving and Returning Subpoenas	65		
Order Granting New Trial	30			Collecting Execution for Costs	1 50		
Order Overruling Motion for New Trial	30			Serving and Returning Sci. Fa. Notice, etc.	65		
Order Overruling Motion for Continuance	30			Executing Writ of Possession	2 50		
Order Overruling Motion to Set Aside Default	30			Levy Attachment	3 00		
Order for Notice to Non-Resident Defendant	30			Entering and Returning Attachment	25		
Issuing Notice for Publication and Copy 20c per hundred words				Entering and Returning Execution	25		
Order to Give Security for Costs	30			Summoning and Returning Garnishee	1 50		
Order to Give Additional Bond	30			Taking and Approving Garnishee Bond	75		
Order to Execute Writ of Inquiry	30			Serving and Returning Writs	1 50		
Order of Sale in Attachment	30			Serving and Returning Summons on Forcible Entry	1 00		
Order for Leave to Amend Complaint	30			Executing Writ of Restitution in such cases	2 00		
Order for Leave to Amend Pleas	30			Taking and Approving Bonds of Every Kind	1 00		
Order for Leave to Amend Writ of Process	30			Taking and Approving Claim Bond	1 00		
Order for Attachment for Witness	30			Taking and Approving Forthcoming Bond	1 00		
Filing Deposition	10			Taking and Approving Bail Bond	1 00		
Issuing Commission to Take Deposition	75			Taking and Approving Plaintiff's Detinue Bond	1 00		
Issuing copy of same, per hundred words	15			Taking and Approving Defendant's Detinue Bond	1 00		
Issuing Copy of Interrogatories, 15c per hundred words, but not less than	50			Making Deed	2 50		
Endorsing each Pet. Deposition Opened	10			Serving Attachment for Contempt of Court	1 50		
Taking Bond in Garnishment on Summons	75			Collecting Money on Execution			
Summons to Garnishee	50			Empanelling Jury	75		
Copies of same, 20c per hundred words				Sheriff's Commission for Property Sold under Attachment			
Notice to Defendant in Garnishee on Summons, and copy, per hundred words	20			Seizing Personal Property on Writ of Detinue	3 00		
Swearing Garnishee and Recording Answer, 15c per hundred words, but not less than	50			Total Sheriff's Fees			
Filing Attachment	10			RECAPITULATION			
Issuing Attachment Writ and Taking Bond	1 00			Judgment			
Issuing Copies of Attachment Writ, 15c per hundred words				Interest			
Filing Certiorari and Entering Return	15			Clerk's Fees			
Taking Certiorari Bond and Filing Same	75			Sheriff's Fees			
Issuing Writ of Certiorari	75			Justice's Fees			
Issuing copies of same, 15c per 100 words				Constable's Fees			
Issuing Writ of Scieri Facias, or Notice in Nature of	75			Witnesses' Fees			
Issuing copies of same, 15c per 100 words				Commissioners' Fees			
Taking Supersedeas Bond and Filing same	75			Printer's Fees			
Taking Appeal Bond and Filing same	75			Stenographer's Fees	5 00		
				Answer of Garnishee			
				Trial Tax	3 00		
TOTAL FORWARDED		5	75	Total	10 75		

Received payment this 15 day of March 1934

ATTEST

H. P. Stone
Clerk Circuit Court, Baldwin County, Ala.

Circuit Court, Baldwin County

No. 20

Andalusia Casket
Company
vs.

Marie Mark -

CIVIL COST BILL

Paid

March 15, 1934

H. A. [Signature]
Clerk.

MOORE PRINTING CO., DAY MINETTE, ALA.

ANDALUSIA CASKET COMPANY,

Plaintiff,

vs

MARIE L. MASE,

Defendant.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA.

AT LAW,

No. _____

INTERROGATORIES PROPOUNDED BY DEFENDANT TO PLAINTIFF UNDER SECTIONS 7764 ET SEQUAL OF THE CODE OF ALABAMA.

1. Attach to your answers and mark Exhibit "A" the document or documents by or through which you claim title to the property sued for. If you do not claim title by written document, state fully and in detail the source of your title.

2. Is it not a fact that this hearse was originally purchased or contracted to be purchased by Walter Mask and was delivered to him by the Henney Motor Co., of Freeport, Ill.; Is it not a fact that when Walter Mask defaulted in payment of his notes the vendor took the property back? Is it not a fact that after taking the property back the vendor resold it to the defendant in this case. If by written contract attach a copy of that contract to your answers and mark Exhibit "B"; and state the amount due under the contract.

3. Was the original contract with Walter Mask and his notes, transferred by the vendor to you and if so state when. Is it not a fact that the contract with defendant in this suit and the notes of the defendant in this suit were transferred to you and if so, state when? What amount was paid by you for the Walter Mask contract and notes? What amount was paid by you for the Marie L. Mask contract and notes. How were such payments made? That is, whether by check, cash, or otherwise. Between what individuals were your negotiations with the G. I. T. Corporation negotiated? Did you not know at the time you took the Marie L. Mask contract and notes that they were given for the hearse now sued for? When did you first know this fact?

B. J. McMillan
ATTORNEY FOR DEFENDANT.

STATE OF ALABAMA, i
COUNTY OF MOBILE. i Before me, Ruth Macdonald, a Notary Public,
 in and for said State and County, personally
appeared B. F. McMillan, who is known to me and who being by me
first duly sworn deposes and says that he is attorney for the
defendant in the foregoing cause and that the answers to the fore-
going interrogatories will be material evidence for the defendant
in said cause.

B. J. Zellmeier

Sworn to and subscribed before me on this 2nd day of February, 1934.

Ruth Macdonald
Notary Public, Mobile County, Alabama.

Executed *Interrogation*
by serving copy of within *Summons* and
~~complaint~~ on

R.C. Stead City for
Amalgamated Carbon
Co **RECORDED**

W.R. Stuart Sheriff
By *M. Hamilton* Deputy Sheriff

copy
RECORDED

Filed Feb. 5th 1904
W. A. Stone
Clerk

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STATE OF ALABAMA,
BALDWIN COUNTY.

IN THE CIRCUIT COURT-LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Marie L. Mask 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 same, then and there to answer the Complaint of the Andalusia Casket Company, a Corporation.

Witness my hand this 29 day of January, 1934.

Wm. B. Stone
Clerk.

COMPLAINT.

ANDALUSIA CASKET COMPANY,
a Corporation,

Plaintiff,

-vs-

MARIE L. MASK,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA,

BALDWIN COUNTY.

The Plaintiff claims of the Defendant the following described personal property, to-wit:-

One Used Model 70 Henney Limousine Hearse,
Serial No. 2005, Engine No. GR29842;

Together with the value of the use or hire thereof during the period of detention, to-wit, from _____, 193____, to the date hereof.

Thos. H. Hester
Attorney for Plaintiff.

STATE OF ALABAMA,

BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

Whereas, the Plaintiff in the within stated cause has made Affidavit and given Bond as required by law, you are hereby commanded to take the property set out in the Complaint into your possession unless the Defendant gives Bond payable to the Plaintiff, with sufficient surety, in double the amount of the property set out, with condition that if the Defendant is cast in suit he will within thirty days thereafter deliver the property to the Plaintiff and pay all damages and costs which may accrue from the detention thereof.

W. H. D. Stone
Clerk.

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RECORDED
SUMMONS & COMPLAINT.

ANDALUSIA CASKET COMPANY,
A Corporation,

Plaintiff,

-VS-

MARIE L. MASK,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Filed January 29, 1934

W. H. D. Stone
Clerk.

LAW OFFICES

HYBART, HEARD
& CHASON

BAY MINETTE, ALABAMA

*Executed January 30th
1934 by Serving Copy
of Summons & Complaint
on Marie L. Mask and
taking into my
possession one
used Model 70 Henry
Lincolnville Hearse
Serial # 2003 Engine
5829842.*

W. H. D. Stone
Shirley

By M B Hamblton

CL S

CM Hamblton

1/30/34

STATE OF ALABAMA,
BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: That the ANDALUSIA CASKET COMPANY, a Corporation, as Principal, and the undersigned, as Sureties, are held and firmly bound unto Marie L. Mask, her heirs, executors and administrators, in the sum of Twenty-five Dollars (\$25.00) for the payment of which, well and truly to be made, we bind ourselves, our and each of our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 29th day of January, 1954.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH: That Whereas, the above bound Andalusia Casket Company, a Corporation, has on this day sued out from the office of the Clerk of the Circuit Court of Baldwin County, Alabama, a Writ of Detinue returnable at the next term of the Circuit Court of said County in said Court, against the said Marie L. Mask, for the recovery of the following described property, viz:-

One Used Model 70 Henney Limousine Hearse
Serial No. 2005, Engine No. 6R29342.

Now, if the said Andalusia Casket Company, a Corporation shall fail in said suit and shall pay to the said Marie L. Mask, the Defendant in said suit, all such costs and damages as she may sustain by the wrongful complaint, then this instrument to be void, otherwise to remain in full force and effect.

ANDALUSIA CASKET COMPANY,
A Corporation,

BY J. M. Roberson SEAL
its President.

Taken and approved this

M. A. Stone
Clerk.

J. M. Roberson SEAL
H. H. King SEAL

ANDALUSIA CASKET COMPANY,
A Corporation,

Plaintiff,

-VS-

MARIE L. MASK,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, W. L. Gaudin, a Notary Public
in and for said County in said State, personally appeared
J. M. Robinson, who is known to me and who after being
by me first duly and legally sworn doth depose and say under oath
as follows:-

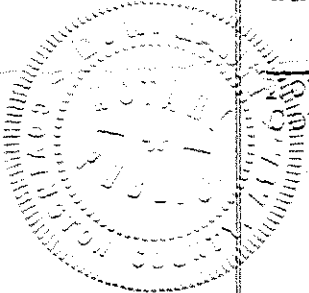
That he is the President and agent of
and for the Andalusia Casket Company, a Corporation, and as such
is duly authorized to make this Affidavit; that the following des-
cribed property, to-wit:-

One Used Model 70 Henney Limousine Hearse,
Serial No. 2003, Engine No. GR99842;

for the recovery of which it has instituted suit this day in the
Circuit Court of Baldwin County, Alabama, is the property of said
Company.

Sworn to and subscribed before
me, a Notary Public whose seal
is hereto affixed, this 27th
day of January, 1934.

W. L. Gaudin
Notary Public, Dozington
County, State of Alabama



BOND & AFFIDAVIT.

ANDALUSIA CASKET COMPANY,
A Corporation,

Plaintiff,

-VS-

MARIE L. MASK,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Filed January 29, 1934

M. C. Stone
Clerk.

LAW OFFICES
HYBART, HEARD
& CHASON
BAY MINETTE, ALABAMA

KNOW ALL MEN BY THESE PRESENTS, that we, Marie L. Mask

and

are held and firmly bound unto the Andalusia Casket Company, a Corporation in the sum of One Thousand and 00/100 (\$1,000.00) Dollars, for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated this 5th day of February, 1934.

The condition of the above obligation is such that Whereas the said Andalusia Casket Company, a Corporation, did, on the 29th day of January, 1934, sue out of the Circuit Court of Baldwin County, a writ of detinue directed to any Sheriff of the State of Alabama, commanding him to take into his possession the following property, to-wit; 1 used model 70 Henney Limousine-Hearse, Serial number 2003, Engine No. G-R 29842, which said writ was placed in the hands of W. R. Stuart, Sheriff of the County of Baldwin, State of Alabama, on the 30th day of January, 1934, and executed by him on the 30th day of January, 1934, by taking into his possession the Hearse hereinafove described, and Whereas the above bounden Marie L. Mask, defendant in this suit, has within five days from the execution of said writ entered into and executed this bond as required by law and thereby obtained possession of said property seized under this writ:

Now if the said Marie L. Mask is cast in said suit and within thirty days after judgment delivers the aforesaid property to the plaintiff and pays all costs and damages which may accrue from the detention thereof, then this obligation is to be void; otherwise to remain in full force and effect.

*Taken and appeared
this 5th Feb 1934
W.R. Stuart
Sheriff*

Marie L. Mask (SEAL) *300*
Charles G. Gland (SEAL) *200*
M.F. Wright
Gladys Landell (SEAL)