

MRS. O. C. HALL, SR.,

Plaintiff,

-vs-

FRANK EARLE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Comes the Defendant and demurs to the Complaint in this cause filed, and to each and every count thereof, separately and severally, and as grounds therefor says:-

FIRST:

That said Complaint does not state a cause of action.

Hyatt Heard & Mason
Attorneys for Defendant.

Circuit Court, Baldwin County

PLAINTIFF

DEFENDANT

BILL OF COST

CLERK'S FEES		Dollars	Cts.	AMOUNT BROUGHT FORWARD		\$	Cts.
Issuing Summons and Complaint	1 25	✓	55	Transcript to Supreme Court, 15c per hundred words		3	50
Copies of same, when over 200 words, 15c per 100	30		00	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			Certificate with Seal, 50c. Without Seal	25		
Docketing Cause 25c. Ent. Appearance, 20c	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	10		10	Administering Oath	25		
Trial and Incidents	75			Taking Bond for Costs of Non-Resident Plaintiff	75		
Entering Judgment, or copy of same	30		10	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	30		100	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			Levying 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		
TOTAL FORWARDED				Answer of Garnishee			
				Trial Tax	3 00		
				Total	\$		

Received payment this 5th day of April 1935

ATTEST

Clerk Circuit Court, Baldwin County, Ala.

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 FRANK EARLE, 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 the same, then and there to answer the complaint of MRS. C. C. HALL, SR.,.

Witness my hand this 18th day of February, 1934.

W. A. Stone
Clerk of the Circuit Court of
Baldwin County, Alabama.

MRS. O. C. HALL, SR.,

Plaintiff

vs.

FRANK EARLE,

Defendant

IN THE CIRCUIT COURT OF

MOBILE COUNTY, ALABAMA.

AT LAW.

ONE

The plaintiff claims of the defendant the sum of Thirteen Hundred (\$1300.00) Dollars due by promissory note made by Earle & Hall, a partnership composed of the defendant and O. C. Hall on the 2nd day of January, 1923, said note being payable to the plaintiff on the 2nd day of January, 1924, together with the interest thereon from the 2nd day of January, 1929, said note being negotiable and payable at the Baldwin County Bank, Bay Minette, Alabama, and plaintiff further avers that payments on said note were made during the years of 1924, 1925, 1926, 1927, 1928 and 1930, the last payment being made on said note on or about the 26th day of June, 1930; and plaintiff further avers that in said note the defendant waived all rights of exemption allowed him by the laws of Alabama and also provided to pay a reasonable attorney's fee for the collection of said note which said fee the plaintiff herewith claims and alleges to be Two Hundred (\$200.00) Dollars; and plaintiff further avers that she is the owner of said note and has it in her possession.

TWO

Plaintiff claims of the defendant the sum of Thirteen Hundred (\$1300.00) Dollars, together with interest thereon from January 2nd, 1929, due by promissory note made by Earle & Hall on January 2nd, 1923, and made payable to this plaintiff on the 2nd day of January, 1924, which note was endorsed by the defendant; and plaintiff avers that in

and as a part of said endorsement the defendant waived all rights of exemption allowed him under the laws of Alabama and also agreed to pay him a reasonable attorney's fee for the collection of said note, which the plaintiff herewith claims and alleged to be Two Hundred (\$200.00) Dollars; and plaintiff further avers that annual payments on said note were regularly made during the years 1924, 1925, 1926, 1927, and 1928, the last payment being made on June 26, 1930; and plaintiff further avers that she is the owner of said note and same is in her possession.

Gordon Ewing Leigh
ATTORNEYS FOR PLAINTIFF

Plaintiff demands trial by jury of the above
said cause.

Gordon Ewing Leigh
ATTORNEYS FOR PLAINTIFF

7024

Civil Jury

~~RECORDED~~

Mrs O. C. Hall, Sr.

VS

Frank Carle

filed on reverse
side

Served Feb 14 1934
Reserving copy of within Summons and
Complaint on

Frank J. Carle

RECORDED

W. B. Stunt

Deputy Sheriff

(2)

Filed Feb. 10th 1934
W. A. Stone,
Clerk.

Circuit Court, Baldwin County

No. 24

Mo S C Haller

VS.

Thom-Edwards
Fee Book ~~##~~ H
Page 120

Civil Cost Bill

Paid _____ 193 _____

Clerk.

24 RECORDED
as of

DEMURRER.

MRS. O. C. HALL SR.,

Plaintiff,

-VS-

FRANK EARLE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Filed March 12th, 1934

W. A. [Signature]
Clerk.

*Copy to Gordon,
Edgington & [Signature]*