

77

BEEBE & HALL  
LAWYERS  
BAY MINETTE, ALABAMA

W. C. BEEBE  
H. M. HALL  
J. P. BEEBE

August 10th, 1935.

Mr. Robert S. Duck,  
Bay Minette, Alabama.

# 77

Dear Mr. Duck:-

IN RE: LOWREY VS. BARNHILL

You will please subpoena the following  
witness in this case.

H. H. Mashmeyer, Mobile, Alabama.

Yours very truly,

Hubert M. Staege

HMH/J

CERTIFICATE OF JUDGMENT

# 77

The State of Alabama, {  
Baldwin County

Circuit Court, August Term, 19 35

J. S. Lowery

PLAINTIFF.

Vs.

D. F. Bernhill

DEFENDANT.

I, Robert S. Duck, Clerk of the Circuit Court of Baldwin County,

Alabama, do hereby certify that on the 20th day of August 19 35,

a Judgment was rendered by said Court in the above stated cause, wherein

J. S. Lowery

was Plaintiff and

D. F. Bernhill

was Defendant, in

favor of the said Plaintiff and against the said Defendant for the sum of (\$408.35)

Four hundred Eight and 35/100 DOLLARS,

and for the sum of Eleven & 15/100 DOLLARS,

the costs in said suit and that BEEBE & HALL

are the Attorneys of record for the Plaintiff  
in said cause.

Witness my hand this 21st day of August 19 35

Clerk, Circuit Court, Baldwin County, Alabama.

# 77

# 77

J. S. LOWERY,  
Complainant,

VS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

D. F. BARNHILL,  
Defendant,

AT LAW.

Comes the Defendant and demurs to the complaint  
filed in the above styled cause, and each count thereof,  
separately and severally; and assigns the following grounds:

1. Said Complainant fails to allege that the account  
is unpaid.

2. Said Complainant fails to allege whether or not  
the contracts were...

Henry D. Mocker  
Henry D. Mocker, Attorney for Defendant.

77

RECORDED  
684

Filed Oct 5-1994  
Mr. A. Stone,  
Clark.

STATE OF ALABAMA )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons D. F. BARNHILL to appear within thirty (30) 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 complaint of J. S. LOWERY.

Witness my hand this the 8 day of August, 1934.

*W. A. Stone*  
Clerk.

J. S. LOWERY,  
Plaintiff,

-vs-

D. F. BARNHILL,  
Defendant.

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

ONE:

The Plaintiff claims of the Defendant Three Hundred Fifty Dollars (\$350.00), due from him by account on to-wit, the 7th day of July, 1933.

TWO:

The Plaintiff claims of the Defendant the further sum of Three Hundred Fifty Dollars (\$350.00), on account stated between the Plaintiff and the Defendant on to-wit, the 7th day of July, 1933.

THREE:

The Plaintiff claims of the Defendant the further and ad-

ditional sum of Three Hundred Fifty Dollars (\$350.00) for that heretofore on to-wit, July 7th, 1933, the Defendant employed the Plaintiff as his agent to purchase for him, the Defendant, Section five (5), Township five (5) South of Range four (4) East, Baldwin County, Alabama, at an agreed commission to be paid by Defendant to Plaintiff of Ten per cent (10%) of the purchase price; that the Plaintiff, in accordance with said agreement and as such agent, located the owner of said land, purchased the same from Clara Maschmeyer, the owner thereof, for the Defendant, for Thirty-five Hundred Dollars (\$3500.00); that said purchase was approved and accepted by the Defendant and the deal closed between the Defendant and the said Clara Maschmeyer at said price of Thirty-five Hundred Dollars (\$3500.00) for said land, and Defendant agreed to pay the Plaintiff the said commission of Three Hundred and fifty (\$350.00) Dollars; wherefore the Plaintiff sues.

The Plaintiff alleges that said amounts are due, together with the interest thereon from July 7th, 1933.

Dee & Stale  
Attorneys for Plaintiff.

RECORDED

Docket Page 86

NO. 77

NO.

RECORDED

ORIGINAL

Executed Sept 5th 1934  
by serving copy of within Summons and  
Complaint on

D. F. Barnhill

W. R. Stuart

Sheriff

By \_\_\_\_\_ Deputy Sheriff

J. S. LOWERY,  
PLAINTIFF

VS

D. F. BARNHILL,  
DEFENDANT

SUMMONS AND COMPLAINT

Filed this 31 day of  
August, 1934

Eugene A. Stuart  
Clerk

BEEBE & HALL  
LAWYERS  
BAY MINETTE, ALA.

408-33

(54)