

EDWARD C. WOLCOTT,
Plaintiff,
VS.
JOHN H. TITUS,
Defendant.

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

Comes the Defendant and demurs to the original
complaint in this cause and for grounds thereof says:
~~that said complaint does not state a cause of action.~~

Becke & Lane
Attorneys for Defendant.

Defendant demands a trial by Jury.

Becke & Lane
Attorneys for Defendant.

Jury
9
RECORDED
204

EDWARD C. WOLCOTT,

Plaintiff,

VS.

JOHN H. TITUS,

Defendant.

IN THE CIRCUIT COUR OF
BALDWIN COUNTY, ALABAMA,

AT LAW.

Filed 5 day of Nov., 1934.

W. A. Stone
Clerk.

copy to Pinkney
11/5/34

R. S. DUCK

Register and Clerk of the
Circuit Court, Baldwin County
BAY MINETTE, ALA.

SEPTEMBER 8, 1936.

Hon. B. F. McMillan, Jr.,
803-806 Van Antwerp Building,
Mobile, Alabama

Dear Mr. McMillan:

Complying with your request of
September 5th, I am enclosing herewith the files in
the cases of Edward C. Wolcott vs. John H. Titus,
Numbers 90 and 91.

The judgment entry in case num-
ber 90 is, in words and figures, as follows: "4-12-35:
Judgment Nil Dicet on Promissory Waive Note. Writ of
Inquiry and Plaintiff's damages assessed at \$1954.00."

In case number 91 it reads as
follows: "4-12-35: Judgment Nil Dicet for Plaintiff
on Promissory Waive Note. Writ of Inquiry and Plain-
tiff's damages assessed at \$496.80. Property attached
condemned to satisfy judgment and ordered sold."

Very truly yours,



R. S. Duck,
Clerk Circuit Court.

RSD:MLF
Encls.

The State of Alabama, {

Baldwin County.

CIRCUIT COURT AT BAY MINETTE, ALA.

Know all Men by these Presents, That we, E. C. Wolcott of Fairhope
Baldwin County, Alabama, and
The Fidelity and Casualty Company, of New York

~~NOT TO BE USED FOR BAIL~~

are held and firmly bound unto John H. Titus

in the sum of Eight hundred and no/100 Dollars, to

be paid to the said John H. Titus, his

heirs, executors, administrators, or assigns, for which payment, well and truly to be made, we bind ourselves and each of us, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated the 10th. day of October, 1934, 192

The Condition of this Obligation is such:

That whereas, the above bounden, E. C. Wolcott

has, on the day of the date

hereof, prayed an Attachment at the suit of himself

against the estate of above named

John H. Titus.

for the sum of Four hundred and no/100 Dollars,
and hath obtained the same, returnable to the Circuit Court of Baldwin County:

Now, if the said E. C. Wolcott
should prosecute said Attachment to effect, and pay the said Defendant all such damages as he
may sustain by the wrongful or vexatious suing out said Attachment, then the above obligation to be
void; otherwise to remain in full force and effect.

And we and each of us hereby waive all rights of claims of exemption we or either of us have
now, or may hereafter have, under the Constitution and Laws of the State of Alabama.

Signed, Sealed, and delivered the date above written.

E. C. Wolcott (Seal)

(Seal)

Fidelity and Casualty Company of New York (Seal)

(Seal)

Approved, this 15 day of Oct

1934

W. A. Stone

Clerk.

The State of Alabama, {
Baldwin County.

CIRCUIT COURT AT BAY MINETTE, ALA.

Before me, Carl L. Bloxham, a Notary Public

in and for said County, personally appeared E. C. Wolcott

who, being duly sworn, on oath saith that John H. Titus

justly indebted to

him

in the sum of four hundred and no/100 Dollars, which said

amount is justly due after allowing all just offsets and discounts, and that the said

John H. Titus is about to fraudently dispose of his

property

and that this Attachment is not sued out for the purpose of vexing or harassing the Defendant, or
other improper motive.

Subscribed and sworn to before me this 10th day of October, 1934

Carl L. Bloxham
Notary Public, State of Alabama, Baldwin County
My Commission expires April 1 1936

RECORDED

No. 100

The State of Alabama,

Baldwin County.

CIRCUIT COURT

AT BAY MINETTE, ALA.

E. C. Wolcott

100

John H. Titus

Attachment Bond and Affidavit

Filed this the 15th day

of Oct 19234

W. A. Stone Clerk.

Blanche S. Riney Attorney.

Garfield

The State of Alabama,

Baldwin County

No.

CIRCUIT COURT.

CIRCUIT COURT

Term 192....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon

J O H N H. T I T U S

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

E D W A R D C. W O L C O T TWitness my hand this 15th day of October 1934.Wm. A. Stone Clerk.**Complaint**

vs.

EDWARD C. WOLCOTT,

Plaintiff.

JOHN H. TITUS,

Defendant.

The plaintiff claims of the defendant the sum of

F O U R H U N D R E D

Dollars.

due by promissory note made by him together with Ward E. Martin on the 7th day of March, 1928 to the order of Lenore M. Wolcott, endorsed by her to plaintiff and payable one year after date, with interest thereon.

Plaintiff further avers that by the terms of said note the makers thereof waived all rights of exemption as against any process that may issue for the collection of same and further agreed to pay a reasonable attorney's fee for collection of same, which fee plaintiff now claims in the further sum of fifteen percent of the amount ascertained to be due on said note.

Clinton B. Pinsky

Plaintiff's Attorney

Does not Page 89

No. 91

The State of Alabama,
Baldwin County

CIRCUIT COURT

EDWARD C. WOLCOTT

Plaintiffs.

VS.

JOHN H. TITUS

Defendants.

SUMMONS AND COMPLAINT

Filed

Oct 15th 1924

M. A. Stone Clerk.

Defendant lives at

FAIRHOPE, ALABAMA

E. G. RICKARBY, Plaintiff's Attorney,

Defendant's Attorney.

Received in Office

10/15

1924

W. R. Stuart

Sheriff.

I have executed this Writ

This

15th October

1924

by leaving a copy of the within summons and
complaint with

J. H. Titus

RECORDED

W. R. Stuart

Sheriff.

Deputy Sheriff.

Moore Printing Co. Bay Minette, Ala.

Form of judgment entry.

This day came the parties by their attorneys and the Defendant says nothing in bar or preclusion of the Plaintiff's claim. It is therefore considered by the Court that the Plaintiff, Edwin C. Wolcott, do have and recover from the said Defendant John H. Titus, the sum of Four Hundred Ninety-six and 82/100 Dollars, the amount of his claim and also the further sum of \$ as costs in this behalf expended, for which execution may issue. And it further appearing that the said Defendant has waived all rights of exemption of personal property as against the collection of this amount, it is therefore ordered that no claim of exemption interposed to the collection of this execution be considered and that the fact that the waiver of such exemption be endorsed upon the execution.

It is further ordered by the Court on the motion of the Plaintiff that the property levied on by the Sheriff under the attachment herein, and now in the hands of the Sheriff be condemned to the satisfaction of this judgment and that the Clerk issue an order to the Sheriff commanding him to sell said property so levied on by him as required by law.

