

RECONSTRUCTION FINANCE CORPORATION,)
a corporation,)

Plaintiff)

VS)

R. H. DAWSON,)

Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

373

Comes the Defendant in the above styled cause and demurs to Count One and assigns as grounds therefor separately and severally as follows:

FIRST

Because no sufficient facts are set out in the said complaint showing any indebtedness owing from the Defendant to the Plaintiff.

SECOND

Because from the allegations in the Complaint do not show by what authority or if by any authority the Reconstruction Finance Corporation has any right, title or interest to the note sued on.

THIRD

Because it firmly appears in Paragraph One of the Plaintiff's complaint that the Farmers State Bank is the one legally entitled to sue on this note and from aught that appears in the Complaint Plaintiff has no right, title or interest in the same.

FOURTH

The Plaintiff does not show by its complaint upon what facts and by what reason he is entitled to the attorney fee and in the amount as set forth in the complaint.

Defendants adopts all the counts of demurrer to Count One and in addition thereto assigns separately and severally the following counts of demurrers to Count Two:

ONE

The Plaintiff does not show by what terms or conditions the Defendant waived any right of exemption by the Constitutional laws of the State of Alabama in the United States and facts as alleged in his complaint are merely the conclusion of the

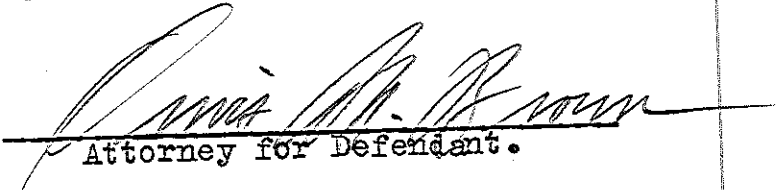
-Page Two-

pleadant.

Defendant demurs to Count Three and adopts all the counts therefor assigned to Counts One and Two and in addition assigns separately and severally the following:

ONE

No sufficient facts are alleged showing that the Defendant is entitled to pay an attorney fee on this note. The allegation set up in Plaintiff's complaint is merely of the conclusion of the Pleadant.


Attorney for Defendant.

RECORDED *Dawson*
8-120

RECONSTRUCTION FINANCE COR-
PORATION, a corporation,

Plaintiff

vs

R. H. DAWSON,

Defendant.

DEMURRERS

Filed Aug 23 1937
R. H. Dawson
Clk

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 R. H. Dawson 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 Reconstruction Finance Corporation, a Corporation.

Witness my hand this 24 day of July, 1937.

R. H. Dawson

Clerk.

COMPLAINT.

RECONSTRUCTION FINANCE CORPORATION, a Corporation,

Plaintiff,

-vs-

R. H. DAWSON,

Defendant.

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

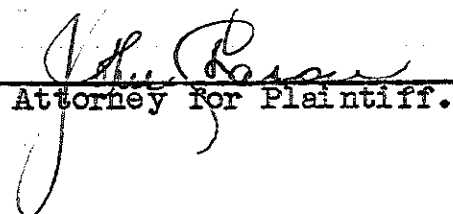
The Plaintiff claims of the Defendant Two Hundred Forty-five Dollars (\$245.00) due by Promissory Note made by him on, to-wit, September 21st, 1931, and payable on or before the 20th day of November, 1931, to the Farmers State Bank or order, with interest thereon, and Plaintiff avers that it is the owner of the aforesaid Note by having acquired the same for value.

The Plaintiff further avers that in and by the terms of said Note the Defendant waived as to the payment of this debt all right of exemption under the constitution and laws of the State of Alabama or any other State in the United States, and of this waiver the Plaintiff now claims the benefit.

Plaintiff further avers that in and by the terms of said Note the Plaintiff agreed to pay all costs of collecting the same, including a reasonable Attorney's fee, and the Plaintiff further claims the further and additional sum of One Hundred Dollars

(page two)

(\$100.00) as such reasonable Attorney's fee.


Attorney for Plaintiff.

8-101
SUMMONS & COMPLAINT.

RECONSTRUCTION FINANCE COR-
PORATION, a Corporation,

Plaintiff,

-VS-

R. H. DAWSON,

Defendant.

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

Filed July & 24, 1937

R. S. Welch
Clerk.

LAW OFFICES
HYBART & CHASON
BAY MINETTE, ALABAMA

Executed 7-29- 1937
by serving copy of within Summons and
Complaint on

R. H. Dawson

M. H. Walters Sheriff

By C. N. Anderson Deputy Sheriff

CERTIFICATE OF JUDGMENT

The State of Alabama, }
Baldwin County

Circuit Court, MARCH Term, 19 38

RECONSTRUCTION FINANCE CORPORATION,

a Corporation,

PLAINTIFF.

Vs.

R. H. DAWSON,

DEFENDANT.

I, R. S. DUCK, Clerk of the Circuit Court of Baldwin County,

Alabama, do hereby certify that on the 30th day of March 19 38,

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

RECONSTRUCTION FINANCE CORPORATION, a Corporation,

was Plaintiff and

R. H. DAWSON,

was Defendant, in

favor of the said Plaintiff and against the said Defendant for the sum of

FOUR HUNDRED TWENTY-EIGHT & 26/100 (\$428.26) DOLLARS,

and for the sum of TWELVE & 05/100 (\$12.05) DOLLARS,

the costs in said suit and that HYBART & CHASON,

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

Witness my hand this 31st day of March 19 38

Clerk, Circuit Court, Baldwin County, Alabama.

copy

CERTIFICATE OF JUDGMENT

RECONSTRUCTION FINANCE CORPO-
RATION, a Corporation, Plaintiff

Vs.

R. H. DAWSON,

, Defendant

MOORE PRINTING CO., BAY MINETTE, ALA.

THE STATE OF ALABAMA, } CIRCUIT COURT OF Baldwin County
BALDWIN COUNTY. } No. 373 Judgment March Term, 1938

Reconstruction Finance
Corporation, a corp - } VS. } R. H. Dawson

DEAR SIRs—At the March Term, 1938, of the above Court
Reconstruction Finance Corporation, et al
recovered a judgment against R. H. Dawson

for the sum of Four Hundred Twenty-Eight & 26/100 Dollars,
besides twelve and 05/100 Dollars, costs of suit and execution
was duly issued thereon, commanding any Sheriff of the State that he cause to be made of the goods and chattels, lands and tenements of said

the amount of judgment and costs, and the Sheriff has returned said execution
endorsed, "No Property Found," and the costs have not yet been paid. I herewith give below an itemized statement of the costs which have accrued in this
cause, and respectfully request that you will, on receipt of this, remit the amount and save the additional expense of an execution against you. If I do not hear
from you in a few days I will be forced to issue an execution for costs. Please return this with remittance. Respectfully yours,

CLERK'S FEES		Dollars	Cts	AMOUNT BROUGHT FORWARD		\$
Issuing Summons and Complaint	\$1 25	1	25	Transcript to Supreme Court, 15c per hundred words		25
Copies of same, when over 200 words, 15c; per 100	30		80	Copies, 5c per hundred words		75
Issuing Alias Summons and Complaint	1 25			Citation to Appellee in Appeal, 20c per hundred words		25
Entering Sheriff's Return on Summons and Complaint	20		20	Certificate with Seal, 50c. Without Seal		25
Docketing Cause	25c		45	Witness Certificate		75
Ent. Appearance	20c		50	Taking Bond Not Above Mentioned		30
Subpoena for Witness	30		20	Entering Order of Court not above named		25
Making Certificate of Judgment	50		95	Administering Oath		75
Filing	10		30	Taking Bond for Costs of Non-Resident Plaintiff		15
Trial and Incidents	75		10	Copy of any paper not above named, 15c per hundred words		75
Entering Judgment, or copy of same	30			Filing Writ of Prohibition and Entering Return		15
Order for Continuance	10			Issuing Writ of Prohibition		75
Issuing Execution	50			Issuing copies of same, 15c per 100 words		15
Docketing Execution	25			Filing Mandamus and Entering Return		75
Issuing copy of same	50			Issuing Writ of Mandamus		
Entering Sheriff's Return on Execution, 15c per hundred words	20			Issuing copies of same, 15c per 100 words		
Final Record, 15c per hundred words	30		350	Total Clerk's Fees		7 53
Order for Alias Summons and Complaint	30			SHERIFF'S FEES		
Order to Dismiss Cause	30			Serving and Returning Summons	\$1 50	1 50
Order to Set Aside Dismissal	30			Serving and Returning Subpoenas	65	
Order Overruling Motion to Set Aside Dismissal	75			Collecting Execution for Costs	1 50	
Order Granting New Trial	30			Serving and Returning Sci. Fa. Notice, etc.	65	
Order Overruling Motion for New Trial	30			Executing Writ of Possession	2 50	
Order Overruling Motion for Continuance	30			Levy Attachment	3 00	
Order Overruling Motion to Set Aside Default	30			Entering and Returning Attachment	25	
Order for Notice to Non-Resident Defendant	30			Entering and Returning Execution	25	
Issuing Notice for Publication and Copy, 20c per hundred words	30			Summoning and Returning Garnishee	1 50	
Order to Give Security for Costs	30			Taking and Approving Garnishee Bond	75	
Order to Give Additional Bond	30			Serving and Returning Writs	1 50	
Order to Execute Writ of Inquiry	30			Serving and Returning Summons on Forcible Entry	1 00	
Order of Sale in Attachment	30			Executing Writ of Restitution in such cases	2 00	
Order for Leave to Amend Complaint	30			Taking and Approving Bonds of Every Kind	1 00	
Order for Leave to Amend Pleas	30			Taking and Approving Claim Bond	1 00	
Order for Leave to Amend Writ of Process	30			Taking and Approving Forthcoming Bond	1 00	
Order for Attachment for Witness	30			Taking and Approving Bail Bond	1 00	
Filing Deposition	10			Taking and Approving Plaintiff's Detinue Bond	1 00	
Issuing Commission to Take Deposition	75			Taking and Approving Defendant's Detinue Bond	1 00	
Issuing copy of same, 15c per 100 words	50			Making Deed	2 50	
Issuing Copy of Interrogatories, 15c per hundred words, but not less than	10			Serving Attachment for Contempt of Court	1 50	
Endorsing each Pet. Deposition Opened	75			Collecting Money on Execution	75	
Taking Bond in Garnishment on Summons	50			Empanelling Jury		
Summons to Garnishee	50			Sheriff's Commission for Property Sold	3 00	
Copies of same, 20c per hundred words				Detinue		
Notice to Defendant in Garnishee on Summons, and copy, 20c per 100 words				Total Sheriff's Fees		4 58
Swearing, Copy of same, 20c per 100 words, but not less than	50			RECAPITULATION		
Filing Attachment	10			Judgment		
Issuing Attachment Writ and Taking Bond	1 00			Interest		
Issuing Copies of Attachment Writ, 15c per hundred words				Clerk's Fees		7 53
Filing Certiorari and Entering Return	15			Sheriff's Fees		1 50
Taking Certiorari Bond and Filing Same	75			Justice's Fees		
Issuing Writ of Certiorari	75			Constable's Fees		
Issuing copies of same, 15c per 100 words				Witnesses' Fees		
Issuing Writ of Scieri Facias or Notice in Nature of	75			Commissioner's Fees		
Issuing copies of same, 15c per 100 words				Printer's Fees		5 00
Taking Supersedeas Bond and filing same	75			Stenographer's Fees		
Taking Appeal Bond and filing same	75			Answer of Garnishee		3 00
TOTAL FORWARDED			7 53	Trial Tax		
				Total		240.21

Received Payment this _____ day of _____ 1938
ATTEST: _____ Clerk Circuit Court, Baldwin County, Ala.

Circuit Court, Baldwin County

No. 373

Reconstruction Finance
Corp.

VS.

R. H. Dwyer

CIVIL COST BILL

PAID 193

..... Clerk.

..... Attorney.

Moore Ptg. Co.

HYBART & CHASON
ATTORNEYS AT LAW
BAY MINETTE, ALABAMA

C. L. HYBART
J. CHASON

MARCH TWENTY-NINTH, 1938.

Judge F. W. Hare,
Monroeville, Alabama.

Dear Judge:

RE: RECONSTRUCTION FINANCE CORPORATION
VS. R. H. DAWSON.

In the above case Orvis Brown withdrew his appearance at the last Non-jury term of Court, and also withdrew his pleadings, and on that day you requested that he advise Mr. Dawson that he had withdrawn his appearance and pleadings. You told me you would not enter a Judgment by default that day, but after a reasonable length of time you would enter such Judgment. No further pleadings have been filed, nor any other appearance made. I would like to have a Judgment by default on Promissory Waive Note for the total sum of \$428.26 principal, interest and Attorney's fee, which amount is made up as follows:-

Principal.....	\$245.00
Interest at 8% for 6½ years.....	127.40
Attorney's fee.....	<u>55.86</u>
Total.....	\$428.26.

Mr. Duck is mailing the Docket Sheet and possibly the file to you today.

With best regards, I am

Yours very truly,

HYBART & CHASON,

By 

JC:G.