

DR. F. A. WEBB,

Plaintiff,

VS.

G. M. HALL,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

NUMBER \_\_\_\_\_.

MOTION TO QUASH.

Comes G. M. Hall, named as the Defendant in the above entitled cause and appears solely for the purpose of this motion, and without making a general appearance, and expressly limits this his special appearance to the purpose of making this motion to quash the summons and to set aside or quash the attempted service of process upon him in this cause, and for grounds for this motion sets down and assigns, separately and severally the following:

1. Because the summons issued by the Clerk of this Court in this cause is not accompanied by a Complaint signed by the Plaintiff herein or Plaintiff's attorney.

2. Because the purported Complaint filed or attempted to be filed in this cause is not signed by the Plaintiff or his attorney.

3. Because no Complaint as required by law has been filed by the Plaintiff herein on which the Clerk of this Court was authorized by law to issue a summons to this Defendant.

4. Because the Sheriff's return of service on Defendant of the said purported Complaint in this cause is illegal and invalid in that the said purported Complaint and the copy thereof served on this Defendant is not signed by Plaintiff or his Attorney.

5. Because the Sheriff's return in this cause is illegal and invalid.

Defendant therefore, appearing specially as aforesaid, moves the Court to quash the said summons issued herein to this Defendant and to set aside or quash the service of process in this cause on Defendant herein.

J. B. Blackburn

As Attorney appearing specially as  
above stated for Defendant, G. M. Hall.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority within and for said  
County in said State, personally appeared J. B. Blackburn, who,  
being first duly sworn, deposes and says that he is attorney,  
appearing only specially as aforesaid, for G. M. Hall, and that  
he, the said J. B. Blackburn, has been informed and believes, and  
upon such information and belief states that the allegations of  
the foregoing motion are true.

J. B. Blackburn

Sworn to and subscribed before me  
on this the 30th day of June, 1938.

Ora Finnan

Notary Public, Baldwin County, Alabama.

RECORDED

*Recd  
8-24-38*

MOTION TO QUASH.

DR. F. A. WEBB,

Plaintiff,

VS.

G. M. HALL,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

NUMBER 4371.

Filed on this the 30th day of June,  
1938.

*DeVaney  
clerk*

September Term, 1941

DR. F. A. WEBB

Plaintiff—in the suit,

Defendant—

R. S. Duck *[Signature]* Clerk

CLERK'S FEES		\$	Cts	SHERIFF'S FEES		\$	Cts
For every Summons and complaint.	2	1.25	2	50	For Levying an Attachment.....	3.00	
Each copy thereof.....	2	30		60	Entering and Returning Attachment.....	25	
Entering a Sheriff's Return.....	2	20		40	Summoning Garnishee.....	1.50	
Docketing.....		25		25	Serving Summons on Writ...2.W.....	1.50	3 00
Entering Apperance.....		20		20	Serving Notice Sci. Fa. Notice, etc....	65	
Filing.....	3	10		30	Serving..... Subpoenas.....	65	
Every Order made in Court.....		30		30	Empanelling Jury.....	75	
Copy thereof.....		25			Entering and Returning Execution.....	25	
Every Trial with or without Jury.....		75			Collecting Costs Execution..1.S.....	1.50	1 50
Entering up Judgment or copy threof..		30			Executing a Writ of Pessionion.....	2.50	
Issuing Execution.....		50		50	Taking and Approving Bonds.....	1.00	
Docketing Execution.....		25			Commissions.....		
Entering Return on Execution.....		20		20	Sheriff's Commission for Property Sold Under Attachment.....		
Issuing Subpoenas.....		30			Seizing Personal Property on Writ of Detinue.....	3.00	
Administering Oath.....		25					
Issuing Each Attachment Taking Bond	1.00				<b>L RECAPITULATION</b>		
Filing Attachment.....	10				Clerk's Fees.....		8 35
Each Summons for Garnishee.....	50				Sheriff's Fees.....		4 50
Each copy.....	50				Justice's Fees.....		
Notice to Deft. in Garnishee on Sum- mons and Copy, per 100 words.....	20				Witness Fees in Justice of Peace Court		
Commissions to take Depositions or copy .....	75				Constable's Fees.....		
Order to Execute Writ of Inquiry.....	30				Commissioner's Fees.....		
Copy of Interrogators, 15c per hundred words or.....	50				Printer's Fees.....		
Filing each Deposition and endorsing same .....	20				Witness Fees in Circuit Court.....		
Final Record, per hundred words.....	15		2 50		Former Clerk's Fees.....		
Every Certificate.....	50				Stenographer's Fees.....	5.00	
Taking Bond not otherwise provided for .....	75				Trial Tax.....	3.00	3 00
Witness Certificate.....	25						
Continuance .....6.....	10						
Certificate of Judgment.....	50						
Order of Publication.....	1.00						
			8 35				15 85

Letter 2/16/42

No. 450..... Page.....

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT

DR. F. A. WEBB

Van Antt Wernp Bl.  
Mobile Ala. Plaintiff...

vs.

G. M. HALL

Defendant...

Civil Execution for Costs  
Against Plaintiff

Costs - - - - \$15.85

Civil Fee Book CDS Page

Execution Docket Page

Filed December 15th, 1941

*R. S. Stuart* Clerk.

*Outlaw & Seale*  
*1st National Bldg. Attorney*  
*Mobile, Ala.*

Defendant's Attorney

Received in Sheriff's Office

this day of, 194

W. R. STUART, Sheriff

COLLECTION COSTS FROM

The State of Alabama, }  
BALDWIN COUNTY

I hereby certify that the within  
and costs in this case are correct, and there  
was waiver of exemption as to personal  
property under the Constitution and Laws of  
Alabama.

This day of 194

Clerk.

Received in office

194

Sheriff

Sheriff's Execution Docket, Page

Sheriff's Fee Book, Page

Sheriff

THE STATE OF ALABAMA,  
Baldwin County.

By virtue of the within execution, I have at

o'clock, M., this day of 194 levied

Returned February 28th, 1942 by collecting the within named costs, ~~xxxxxxx~~ fifteen dollars & eighty five cents, from the plaintiff, and turning same over to R.S. Duck, Clerk of the Circuit Court.

W. R. Stuart, Sheriff, Baldwin County  
BY Deputy Sheriff

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五、六、七、八、九、十、十一、十二、十三、十四、十五、十六、十七、十八、十九、二十、二十一、二十二、二十三、二十四、二十五、二十六、二十七、二十八、二十九、三十、三十一、三十二、三十三、三十四、三十五、三十六、三十七、三十八、三十九、四十、四十一、四十二、四十三、四十四、四十五、四十六、四十七、四十八、四十九、五十、五十一、五十二、五十三、五十四、五十五、五十六、五十七、五十八、五十九、六十、六十一、六十二、六十三、六十四、六十五、六十六、六十七、六十八、六十九、七十、七十一、七十二、七十三、七十四、七十五、七十六、七十七、七十八、七十九、八十、八十一、八十二、八十三、八十四、八十五、八十六、八十七、八十八、八十九、九十、九十一、九十二、九十三、九十四、九十五、九十六、九十七、九十八、九十九、一百。

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judgment with a waive of exemption as to personal property.

COUNT TWO

Plaintiff claims of the Defendant the sum of FIFTY-FIVE AND NO/100 (\$55.00) DOLLARS, due from him by that certain promissory note, executed by the Defendant, on to-wit, May 25, 1931, in words and figures as follows:

No. \_\_\_\_\_ Mobile, Ala., May 25, 1931  
In small payments AFTER DATE, WITHOUT GRACE I PROMISE  
TO PAY TO THE ORDER OF Dr. F. A. Webb \$55.00  
FIFTY-FIVE AND NO/100-----DOLLARS

For Value Received, Payable at the FIRST NATIONAL BANK  
Mobile, Alabama

The Parties to this Instrument, whether Maker, Endorser, Surety, or Guarantor, each for himself, hereby severally agree to pay this Note and waives as to this debt all right of exemption, under the Constitution and Laws of Alabama, or any other State, and they each severally agree to pay all costs of collecting, or securing, or attempting to collect or secure this Note, including a reasonable Attorney's fee, whether the same be collected or secured by suit or otherwise, and the Maker, Endorser, Surety or Guarantor of this Note severally waives Demand, Presentment, Protest, Notice of Protest, Suit and all other requirements necessary to hold them.

(Signed) G. M. HALL

To be taken up  
within 1 year from TENSAW, ALABAMA.  
date.

Due \_\_\_\_\_ Address \_\_\_\_\_

Which sum of money together with the interest thereon is due and still unpaid.

COUNT THREE

Plaintiff claims of the Defendant the sum of TWENTY-FIVE AND NO/100 (\$25.00) DOLLARS as reasonable attorney's fee under the terms of the note described in COUNT TWO hereof, which description is made a part of this count as though the same was set forth in this count.

Defendant's address is Tensaw, Alabama.

186

RECORDED

*Dec 1*

*8-239*

Executed *May 30<sup>th</sup>* 1938

by serving copy of within Summons and Complaint on

*G. M. Hall*

*M. W. Wilkins* Sheriff  
*John R. Davis* Deputy Sheriff

DR. F. M. WEBB, Plaintiff,

vs.

G. M. HALL, Defendant

SUMMONS & COMPLAINT

*Filed Sept 25-1938*  
*J. A. Deak*  
*clerk*



DR. F. A. WEBB,  
Plaintiff,

-VS-

G. M. HALL,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

Comes the Plaintiff in the above styled  
cause by and through his attorney, Alvin McConnell,  
and with leave of Court first had and obtained, amends  
his complaint heretofore filed by adding to the same  
the signature of his attorney, so that the amended  
complaint shall read according to the amendment filed  
herewith and attached hereto.

Alvin McConnell

DR. F. A. WEBB,

Plaintiff,

-VS-

G. M. HALL,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

COUNT ONE

Plaintiff claims of the Defendant the sum of FIFTY-FIVE AND NO/100 (\$55.00) DOLLARS due from him by that certain promissory note, executed by the Defendant, on to-wit, May 25, 1931, payable one year from date, which sum of money together with the interest thereon is due and still unpaid.

And Plaintiff avers that by the terms of said note the Defendant agreed to pay a reasonable attorneys fee attendant upon the collection thereof and waived his right to exemption as to personal property; wherefore Plaintiff further claims of the Defendant the other and further sum of TWENTY-FIVE AND NO/100 (\$25.00) DOLLARS as reasonable attorneys fee in this cause, and prays a judgment with a waiver of exemptions as to personal property.

COUNT TWO

Plaintiff claims of the Defendant the sum of FIFTY-FIVE AND NO/100 (\$55.00) DOLLARS, due from him by that certain promissory note, executed by the Defendant, on to-wit, May 25, 1931, in words and figures as follows:

No. \_\_\_\_\_ Mobile, Ala., May 25, 1931

In small payments AFTER DATE, WITHOUT GRACE I PROMISE TO PAY TO THE ORDER OF Dr. F. A. Webb \$55.00

FIFTY-FIVE AND NO/100-----DOLLARS

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Mobile, Alabama

The Parties to this Instrument, whether Maker, Endorser, Surety, or Guarantor, each for himself, hereby severally agrees to pay this Note and waives as to this debt all right of exemption, under the Constitution and Laws of Alabama, or any other State, and they each severally agree to pay all costs of collecting, or securing, or attempting to collect or secure this Note, including a reasonable Attorney's fee, whether the same be collected or secured by suit or otherwise, and the Maker, Endorser, Surety or Guarantor of this Note severally waives Demand, Presentment, Protest, Notice of Protest, Suit and all other requirements necessary to hold them.

(Signed) G. M. HALL

To be taken up  
within 1 year from  
date.

TENSAW, ALABAMA.

Due \_\_\_\_\_ Address \_\_\_\_\_

Which sum of money together with the interest thereon  
is due and still unpaid.

COUNT THREE

Plaintiff claims of the Defendant the  
sum of TWENTY-FIVE AND NO/100 (\$25.00) DOLLARS as  
reasonable attorney's fee under the terms of the note  
described in COUNT TWO hereof, which description is  
made a part of this count as though the same was set  
forth in this count.

Alvin M. Lonnell  
Attorney for Plaintiff

Executed this 30th  
day of Nov. 1938 by  
attaching a copy of the  
will and with  
D. M. Hall  
attest my hand  
this day  
of Nov. 1938  
by Taylor & Whitcomb

RECORDED *Duch*  
7.297

Dr. F. A. WEBB

VS

G. M. HALL

AMENDED COMPLAINT

Filed November 9, 1938  
P.S. Duch Clerk  
By - Arthur Thompson, Deputy