

458

DEMURRER

JACOBS MANUFACTURING COMPANY,)
a corporation,)

Plaintiff)

-vs-

STANLEY POBE,)

Defendant)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
At Law.

25

Comes the Defendant in the above styled cause and demurrs to the Plaintiff's complaint, and his grounds therefor, are:-

FIRST: Said Complaint is vague and indefinite and does not appraise the Defendant of what he is called upon to defend.

SECOND: Said complaint does not state a cause of action.

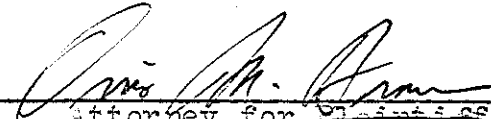
THIRD: Said complaint does not allege that the alleged notes were issued for a valuable consideration and when or where issued.

FOURTH: Said complaint does not show on its face that the alleged notes were issued by the Defendant.


FIFTH: Said complaint does not allege any consideration for Defendant's alleged promise to pay.

SIXTH: Said complaint does not allege any damage possibly resulting from Defendant's alleged breach of payment.

The defendant files this his demurrer to each and every paragraph separately and severally to the foregoing bill of complaint paragraphs numbering from one to eight inclusive.


Attorney for Plaintiff.
Defendant

The Defendant demands a jury trial.


Attorney for Plaintiff.
Defendant

8-259
Jacks Manufacturing Co.,
Plaintiff

vs

Stanley Pake,
Defendant

115 D

~~Demurrers~~

Demurrers

Filed this 9 day August 1938

R. S. Quach
Clerk-Register

STATE OF ALABAMA :
BALDWIN COUNTY : To any sheriff of the State of Alabama
:

You are hereby commanded to summon Stanley Pobe, 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 Jacobs Manufacturing Company, a corporation.

Witness my hand, this 23 day of June, 1938.

R. S. Duct
Clerk of the Circuit Court

JACOBS MANUFACTURING COMPANY, :
a corporation, :
Plaintiff, : IN THE CIRCUIT COURT OF
-Vs- :
STANLEY POBE, :
Defendant. : BALDWIN COUNTY, ALABAMA.

1. Plaintiff claims of the defendant \$50 due from him by a promissory note for \$50, executed by the defendant on, to-wit, November 7, 1936, and payable to the order of the plaintiff, April 7, 1937, which sum of money, with interest thereon, is still due and unpaid.

2. Plaintiff claims of the defendant \$50 due from him by a promissory note for \$50, executed by the defendant on, to-wit, November 7, 1936, and payable to the order of the plaintiff, May 7, 1937, which sum of money, with interest thereon, is still due and unpaid.

3. Plaintiff claims of the defendant \$263.45 due from him by a promissory note for \$263.45, executed by the defendant on, to-wit, November 7, 1936, and payable to the order of the plaintiff, June 7, 1937, which sum of money, with interest thereon, is still due and unpaid.

4. Plaintiff claims of the defendant \$263.45 due from him by a promissory note for \$263.45, executed by the defendant on, to-wit, November 7, 1936, and payable to the order of the plaintiff, July 7, 1937, which sum of money, with interest thereon, is still due and unpaid.

5. Plaintiff claims of the defendant \$263.45 due from him by a promissory note for \$263.45, executed by the defendant on, to-wit, November 7, 1936, and payable to the order of the plaintiff, August 7, 1937, which sum of money, with interest thereon, is still due and unpaid.

6. Plaintiff claims of the defendant \$263.45 due from him by a promissory note for \$263.45, executed by the defendant on, to-wit, November 7, 1936, and payable to the order of the plaintiff, September 7, 1937, which sum of money, with interest thereon, is still due and unpaid.

7. Plaintiff claims of the defendant \$200 as an attorney's fee for collecting the money sued for in Counts 1, 2, 3, 4, 5, and 6, defendant having agreed in and by said notes to pay all costs of collecting, including a reasonable attorney's fee, and plaintiff says that \$200 is reasonable, due and unpaid.

Plaintiff says that in and by the notes sued on in Counts 1, 2, 3, 4, 5 and 6, the defendant waived all right of exemption of personalty under the laws and constitution of the state of Alabama, or any other state, and for all the money sued for in Counts 1, 2, 3, 4, 5, 6 and 7 above, plaintiff desires to have the benefit of said waiver.

Sidney J. Gray
Attorney for Plaintiff

Defendant's address:
Summerdale, Alabama

Executed June 30th 1938
by serving copy of within Summons and
Complaint on

Stanley Pobe

M. H. Williams She
John R. Davis Deputy She

JACOBS MANUFACTURING CO.,
a Corporation, Plaintiff,

vs.

STANLEY POBE, Defendant.

SUMMONS AND COMPLAINT.

RECORDED 8-354

Filed June 30 1938
W. B. Dyer
Clerk