

573

1 HOUSER, HOUSER & SPENCE
2 Attorneys at Law
3 814 Security Building
4 Long Beach 2, California
5 Telephone - 614-60

6 IN THE CIRCUIT COURT
7 OF BALDWIN COUNTY, ALABAMA

8 IN LAW

9 W. N. DYER,)
10 Plaintiff,)
11 -vs-)
12 CLARISSA WEEKS, GUY WEEKS,)
13 and STANLEY WEEKS,)
14 Defendants.)
-----)

15 BE IT REMEMBERED that pursuant to the commission
16 to take the deposition attached hereto, the deposition of Guy
17 Weeks, a witness produced on behalf of Defendant herein, was
18 taken before J. Everett Houser, a Notary Public in and for the
19 County of Los Angeles, State of California, duly commissioned
20 and qualified and acting, on Wednesday, the 29th day of October,
21 1947, at the hour of 10:30 o'clock, A.M. at his office in room
22 814 in the Security Bank Building, City of Long Beach, State of
23 California. There also appeared at said time and place J. C.
24 Spence, Jr., attorney at law, appointed by virtue of said
25 commission to take said deposition and appointed as commissioner
26 and authorized to go before said attorney at law and to examine
27 Guy Weeks as a witness in behalf of Defendant in the cause
28 pending in the Circuit Court in Baldwin County in the State of
29 Alabama.

30 The witness was by said Notary thereupon duly and
31 legally sworn to testify to the truth, the whole truth, and
32 nothing but the truth, in the matter of his deposition and the

HOUSER, HOUSER & SPENCE
ATTORNEYS AT LAW
814-15-16 SECURITY BUILDING
LONG BEACH 2, CALIFORNIA
TELEPHONE 614-60

1 taking thereof proceeded, J. C. Spence, Jr., attorney at law,
2 conducting the examination on behalf of the Defendant.

3 The taking of said deposition was commenced on said
4 29th day of October, 1947 between the hours of 10:30 o'clock,
5 A.M. and 11:00 o'clock, A.M. and was completed on that date.

6 The said deposition in respect to the testimony
7 given and all matters incident to the taking of the same were
8 by Fern L. Brine, thereupon taken down in shorthand and
9 transcribed into typewriting, under the direction and supervision
10 of said Notary, and delivered to the Notary for submission to
11 the said witness for perusal, correction and signature.

12 The testimony of said witness is as follows:

13 Question #1: What is your name?

14 Answer to #1: Guy Weeks.

15 Question #2: What is your present place of residence
16 and post office address?

17 Answer to #2: 522 West Broadway, Long Beach 2,
18 California.

19 Question #3: Are you one of the Defendants in this
20 suit?

21 Answer to #3: Yes.

22 Question #4: Did you and the other Defendants in this
23 suit purchase any property from the Plaintiff Dyer on or about
24 June 19, 1937?

25 Answer to #4: Yes.

26 Question #5: If your answer to the above question
27 is Yes, please state what property was purchased by the Defend-
28 ants from the Plaintiff, give the purchase price thereof and
29 state how it was paid.

30 Answer to #5: We, the above named Defendants, pur-
31 chased from the above named Plaintiff, a new Champion two-row
32 Potato Digger and a new Case Tractor. The consideration for

1 these two pieces of equipment was our promissory notes, totaling
2 Nine Hundred Nineteen and 58/100 (\$919.58) Dollars plus the
3 following two pieces of equipment, which were turned in and to be
4 credited and to be accepted as the balance of the purchase price:
5 (1) Used International Harvester one-row digger used for potato
6 digging and (2) One used International Harvester, model 12,
7 tractor.

8 Question #6: Please state whether the notes on which
9 this suit is brought, namely, note for \$446.30 dated June 19,
10 1937 and due on or before May 1, 1938 and note for \$473.28 dated
11 June _____, 1937 and due on or before May 10, 1939, were given
12 as a part of the purchase price of the property purchased by
13 the Defendants from the Plaintiff.

14 Answer to #6: The notes mentioned in question 6,
15 namely, a note for \$446.30 dated June 19, 1937 and note for
16 \$473.28 dated _____ June of 1937, were given as part of the
17 purchase price of the property purchased by us from the Plaintiff.

18 Question #7: If your answer to the above question is
19 Yes, what became of the property which the Defendants purchased
20 from the Plaintiff?

21 Answer to #7: Some time in 1938 or 1939, about the
22 month of October, Plaintiff, W. N. Dyer came out to our farm in
23 Foley, Alabama, and picked up the aforesaid new Champion two-row
24 potato digger, and the new Case tractor and took said equipment
25 to his place of business in Foley, Alabama.

26 Question #8: If your answer to the foregoing question
27 shows that you delivered the property which the Defendants pur-
28 chased from the Plaintiff, to the Plaintiff, was there any agree-
29 ment or understanding between the Defendants and the Plaintiff
30 at the time of the delivery of the said property?

31 Answer to #8: Yes.

32 Question #9: If your answer to the above question

1 shows that there was an agreement or understanding between the
2 Defendants and the Plaintiff at the time the property purchased
3 by the Defendants from the Plaintiff was delivered to the Plain-
4 tiff, what was the agreement or understanding?

5 Answer to #9: There was a conversation regarding
6 said agreement between the Defendants and the Plaintiff a day or
7 two before the Plaintiff, W. N. Dyer, came out to our farm and
8 picked up the aforementioned equipment that we had purchased. Mr.
9 Dyer stated that he would come out to our farm and pick up the
10 equipment, return it to his place of business, and cancel the
11 notes aforementioned, and deliver the same to us and that the
12 notes would be cancelled, and further stated that we were not
13 obligated any further under the terms of the notes.

14 Question #10: Did the Plaintiff Dyer promise at any
15 time to deliver the notes on which this suit is brought to the
16 Defendants, if so, when was this promise made.

17 Answer to #10: Yes, this promise was made at the
18 time mentioned in the answer to question #9, to-wit: A day
19 or two before he picked up the two pieces of equipment.

20 Question #11: Has the Plaintiff Dyer surrendered
21 the notes on which this suit is brought to the Defendants.

22 Answer to #11: No.

23 Question #12: Have the Defendants demanded that the
24 Plaintiff surrender the said notes on which this suit is brought
25 to them?

26 Answer to #12: I have not personally made such a
27 demand because I have been away from Foley and in the military
28 service for quite some time.

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31 STATE OF CALIFORNIA)
32 County of Los Angeles) -SS

Handwritten signature

I, J. Everett Houser, a Notary Public in and for

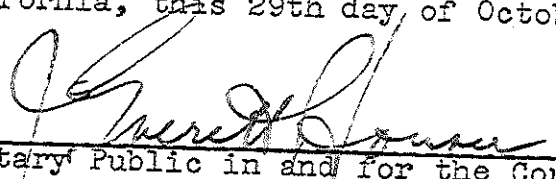
1 the County of Los Angeles, State of California, duly commissioned,
2 qualified and acting, hereby certify as follows, to-wit:

3 That Guy Weeks, produced as a witness for and on
4 behalf of the Defendant in the above entitled cause, appeared
5 before me on the 29th day of October, 1947, at 10:30 o'clock,
6 A.M. in my office in room 814, Security Bank Building, City of
7 Long Beach, State of California; that before the taking of said
8 deposition, said witness was by me duly sworn to testify to the
9 truth, the whole truth, and nothing but the truth in the testimony
10 he was about to give in said action; that said witness was
11 thereupon examined by J. C. Spence, Jr., attorney at law, for
12 Defendant, on written interrogatories and that said witness made
13 the answer thereto under oath, as hereinbefore contained; that
14 all of said questions and all of said answers thereto were by
15 Fern L. Brine, a competent shorthand reporter, duly sworn herein,
16 taken down in shorthand and later transcribed into typewriting,
17 as hereinabove contained, allof which was done under my direction
18 and supervision; that said deposition was carefully read by the
19 witness and corrected by him in any particular he desired and
20 then subscribed by said witness in my presence.

21 And I further certify that I am not nor is said
22 shorthand reporter a party to or interested in the above entitled
23 action.

24 And I further certify that I have written my initial
25 near each and every correction made by said witness.

26 IN WITNESS, Whereof I have hereunto set my hand and
27 affixed my notarial seal at the City of Long Beach, County of
28 Los Angeles, State of California, this 29th day of October, 1947.

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Notary Public in and for the County of
Los Angeles, State of California

My Commission Expires Sept. 10, 1949

1 STATE OF CALIFORNIA)
2 County of Los Angeles) -SS

3 I, J. C. Spence, Jr., attorney at law, duly licensed
4 to practice and practicing in the State of California, duly
5 qualified and acting and commissioned to take the foregoing
6 deposition, hereby certify as follows, to-wit:

7 That Guy Weeks, produced as a witness for and on behalf
8 of Defendant in the above entitled action, appeared before me on
9 the 29th day of October, 1947, at 10:30 o'clock, A.M., at my
10 office in room 814, Security Bank Building, City of Long Beach,
11 County of Los Angeles, State of California; that before the taking
12 of said deposition, said witness was by J. Everett Houser, Notary
13 Public in and for the County of Los Angeles, State of California,
14 first duly sworn to testify to the truth, the whole truth, and
15 nothing but the truth, in the testimony he was about to give in
16 said action; that said witness was thereupon examined by me on
17 written interrogatories and that said witness made answer thereto
18 under oath, as hereinbefore contained; that all of said questions
19 and all of said answers thereto were by Fern L. Brine, a competent
20 shorthand reporter, duly sworn herein, taken down in shorthand
21 and later transcribed into typewriting, as hereinabove contained,
22 all of which was done under the direction of J. Everett Houser,
23 the aforesaid Notary Public and under his direction and supervision;
24 that said deposition was carefully read by the witness and corrected
25 by him in any particular he desired and then subscribed by said
26 witness in my presence.

27 And I further certify that I am not nor is said short-
28 hand reporter nor said Notary Public, a party to or interested in
29 the above entitled action.

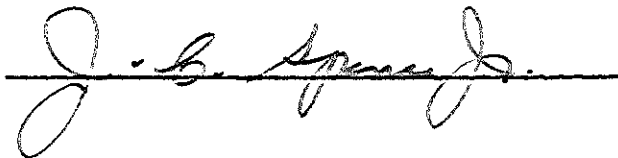
30 IN WITNESS, Whereof I have hereunto set my hand at the
31 City of Long Beach, County of Los Angeles, State of California,
32

1 this 29th day of October, 1947.

2

3

4 STATE OF CALIFORNIA)
5 County of Los Angeles) -SS




6 On this 29th day of October, 1947, before me, a
7 Notary Public in and for said County and State, personally
8 appeared J. C. Spence, Jr., known to me to be the person whose
9 name is subscribed to the within instrument, and acknowledged
10 that he executed the same.

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Notary Public in and for said County and
State.

My Commission Expires Sept. 10, 1949

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CERTIFICATE FOR ASSIGNMENT AND TRANSFER

This is to certify that the within action is entitled to be transferred to the Long Beach Department of the Superior Court of Los Angeles County, as provided in Section Two, Subdivision _____, Rule 30 of this Court for the following reason:

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES } ss.

Attorney for

_____, being first duly sworn, on oath, says: That _____ is the plaintiff in the above entitled action: that _____ has read the foregoing certificate and knows the contents thereof; and that the same is true of _____ own knowledge.

Subscribed and sworn to before me this

_____ day of _____, 19____

SEAL _____
Notary Public in and for said County and State.

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES } ss.

_____, being by me first duly sworn, deposes and says: that he is the in the above entitled action; that he has read the foregoing

and knows the contents thereof; and that the same is true of _____ own knowledge, except as to the matters which are therein stated upon _____ information or belief, and as to those matters he believes it to be true

Subscribed and sworn to before me this

_____ day of _____, 19____

SEAL _____
Notary Public in and for said County and State.

Received copy of the within _____ this _____ day of _____, 19____

Attorney _____ for

Attorney _____ for

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES } ss.

AFFIDAVIT OF SERVICE BY MAIL

_____, being first duly sworn, says: That affiant is a citizen of the United States and a resident of the City of Long Beach, County of Los Angeles, State of California; that affiant is over the age of eighteen years, and is not a party to the within and above entitled action; That on the _____ day of _____, A.D., 19____

affiant served the within _____
by placing a true copy thereof in an envelope addressed to the persons whose names are set out below, at the addresses shown respectively, to wit:

NAME

ADDRESS

and by then sealing said envelope and depositing the same, with postage thereon fully prepaid, in the United States Post Office at Long Beach, County of Los Angeles, State of California. That there is delivery service by United States mail at the place so addressed, and that there is regular communication by mail between the place of mailing and each place so addressed.

Subscribed and sworn to before me this

_____ day of _____, 19____

(SEAL) _____
Notary Public in and for said County and State.

W. N. DYER,

Plaintiff,

VS.

CLARISSA WEEKS, GUY WEEKS
AND STANLEY WEEKS,

Defendants.

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

NOTICE OF FILING OF INTERROGATORIES

TO W. N. DYER, PLAINTIFF, OR H. M. HALL, HIS ATTORNEY:

You are hereby notified that the Defendants did, on the 7th day of October, 1947, file in the Office of the Clerk of the Circuit Court of Baldwin County, Alabama, the attached interrogatories to Guy Weeks, a witness for the Defendants, affidavit and suggestion of a Commissioner to take the testimony of the said witness.

DATED this 7th day of October, 1947.

J. B. Blackburn
Attorney for Defendants.

STATE OF ALABAMA

BALDWIN COUNTY

I hereby certify that I did, on the 7th day of October, 1947, deliver a copy of the interrogatories, affidavit and suggestion of a Commissioner in this cause together with a copy of this notice to H. M. Hall, Attorney for the Plaintiff.

DATED this 7th day of October, 1947.

J. B. Blackburn
Attorney for Defendants.

W. N. DYER,

Plaintiff,

VS.

CLARISSA WEEKS, GUY WEEKS
AND STANLEY WEEKS,

Defendants.

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

INTERROGATORIES PROPOUNDED TO GUY WEEKS,
A WITNESS FOR THE DEFENDANTS.

1. What is your name?
2. What is your present place of residence and post office address?
3. Are you one of the Defendants in this suit?
4. Did you and the other Defendants in this suit purchase any property from the Plaintiff Dyer on or about June 19, 1937?
5. If your answer to the above question is Yes, please state what property was purchased by the Defendants from the Plaintiff, give the purchase price thereof and state how it was paid.
6. Please state whether the notes on which this suit is brought, namely, note for \$446.30 dated June 19, 1937 and due on or before May 1, 1938 and note for \$473.28 dated June ____, 1937 and due on or before May 10, 1939, were given as a part of the purchase price of the property purchased by the Defendants from the Plaintiff.
7. If your answer to the above question is Yes, what became of the property which the Defendants purchased from the Plaintiff?
8. If your answer to the foregoing question shows that you delivered the property which the Defendants purchased from the Plaintiff, to the Plaintiff, was there any agreement or understanding between the Defendants and the Plaintiff at the time of the delivery of the said property?

9. If your answer to the above question shows that there was an agreement or understanding between the Defendants and the Plaintiff at the time the property purchased by the Defendants from the Plaintiff was delivered to the Plaintiff, what was the agreement or understanding?

10. Did the Plaintiff Dyer promise at any time to deliver the notes on which this suit is brought to the Defendants, if so, when was this promise made.

11. Has the Plaintiff Dyer surrendered the notes on which this suit is brought to the Defendants.

12. Have the Defendants demanded that the Plaintiff surrender the said notes on which this suit is brought to them?

J. B. Blackburn
Attorney for Defendants.

STATE OF ALABAMA X
BALDWIN COUNTY X

Before me, the undersigned authority, within and for said County in said State, personally appeared J. B. Blackburn, who, after being by me first duly and legally sworn, deposes and says: That he is Attorney for the Defendants in the above named cause; that Guy Weeks is a material witness for the Defendants in said cause; that the answers to the foregoing interrogatories will be material testimony for the Defendants in the said cause and that the said witness, Guy Weeks, resides more than one hundred miles from the place of trial and is absent from the State of Alabama.

J. B. Blackburn
Sworn to and subscribed before me
on this the 8th day of October, 1947.

Betty R. Buck
Notary Public, Baldwin County, Alabama.

Defendants suggest J. C. Spence, Jr., Attorney-at-Law, Suite 814 Security Building, Long Beach 2, California, as a suitable person to be appointed Commissioner to take the testimony of the said witness.

J. B. Blackburn

Attorney for Defendants.

INTERROGATORIES PROPOUNDED TO
GUY WEEKS, A WITNESS FOR THE
DEFENDANTS.

W. N. DYER,

Plaintiff,

VS.

CLARISSA WEEKS, GUY WEEKS AND
STANLEY WEEKS,

Defendants.

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

Filed
10-8-47
Alice J. Black
clerk

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

W. N. DYER,

Plaintiff,

VS.

CLARISSA WEEKS, GUY WEEKS
AND STANLEY WEEKS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

APPLICATION ON BEHALF OF DEFENDANT IN MILITARY
SERVICE FOR STAY OF PROCEEDINGS.

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND TO
THE HONORABLE F. W. HARE, JUDGE OF SAID COURT:

Comes now, Guy Weeks, one of the Defendants in the above
styled cause and respectfully represents unto the Court and your
Honor as follows:

1. That this Defendant is now in the military service
of the United States, that he entered such service on the 8 day of
January 1942, and is now serving in the United States Navy
and temporarily stationed at San Diego, California.

2. That the cause of action sued upon herein by the
Plaintiff originated prior to the entry of this Defendant in the
military service of the United States, that the ability of this
Defendant, Guy Weeks, to make his defense to the said cause of action
and to comply with any judgment that may be rendered against him is
materially impaired and affected by reason of his military service
in that it will be impossible for him to appear and testify at the
said trial and as all or practically all of the dealings between the
Plaintiff and the Defendants were handled by him these matters cannot
be properly handled by the other Defendants during the absence of
this Defendant, Guy Weeks. This Defendant will be unable to perform
any money judgment rendered against him due to the restrictions in
his income and any judgment rendered against him in this cause would
prejudice his rights and result in damage to him:

WHEREFORE, this Defendant prays that further proceedings
herein be stayed as provided in the Soldiers and Sailors Civil Relief

Act of 1940.

This Defendant further prays that such other orders be made and judgments rendered in this cause as may be requisite and proper.

GUY WEEKS,

By J. B. Blackman
As his Attorney.

STATE OF CALIFORNIA

SAN DIEGO COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared Guy Weeks, who, after being by me first duly and legally sworn, deposes and says: That he is the Defendant named in the foregoing instrument, that he has read over the same and that all of the facts contained therein are true.

Guy Weeks

Sworn to and subscribed before me
on this the 12 day of February, 1942.

Donald Jacqueline Cross

Notary Public, San Diego County, California.

My Commission Expires Dec. 19, 1945

Affix Seal.

APPLICATION ON BEHALF OF DEFEND-
ANT IN MILITARY SERVICE FOR STAY
OF PROCEEDINGS.

W. N. DYER,

Plaintiff,

VS.

CLARISSA WEEKS, GUY WEEKS AND
STANLEY WEEKS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

Filed 2-17-42

CIRCUIT COURT. (LAW)

Term, 194-1

No. 2

VS.

BILL OF COSTS

| BILL OF COSTS | | | | | |
|---|------|--------|--|------|--------|
| | | AMOUNT | SUMMARY OF FEES, COSTS, AND JUDGMENT | | AMOUNT |
| CLERK'S FEES: | | | Fees and Costs in Circuit Court: | | |
| Fees in Circuit Court— | | | Clerk's Fees | | 675- |
| Docketing Cause, One Fee only of..... | .25 | 25 | Ex-Clerk's Fees | | |
| Issuing Summ. and Complt., each..... | 1.25 | 125 | Sheriff's Fees | | 300 |
| Issuing Alias or Branch Summons & Complaint, each | 1.25 | | EX-Sheriff's Fees | | |
| Making Copies Thereof, Minimum, each | .30 | 70 | Witness Fees | | |
| Making Copies Thereof, over 200 Words, per 100 words. | .15 | | Commissioner's Fees | | |
| Entering Sheriff's Returns, each | .20 | 20 | Garnishee's Fees | | |
| Entering Appearances, each | .20 | | Publisher's Fees | | |
| Certifying Affidavits, each | .25 | | Court Reporter's Fees, Per Day or fraction thereof | .500 | |
| Issuing Attachments with Bond, each | 1.00 | | Trial Tax | 3.00 | 300 |
| Orders of Publication, each | .50 | | | | |
| Copy of Same, each | .50 | | | | |
| Issuing Summ. to Garnishee, each | .50 | | | | |
| Copy of Same, Per 100 Words | .15 | | | | |
| Swearing Garnishee, Etc., Per 100 words, | .50 | | | | |
| .15, Minimum | .25 | | | | |
| Release of Garnishee, each | .75 | | | | |
| Issuing Seire Facias or Similar Notice, each | .15 | | | | |
| Copies of Same, Per 100 Words..... | .50 | | | | |
| Making Copy of Interrogatories, Per | .50 | | | | |
| 100 Words, .15; Minimum | .75 | | | | |
| Commission to Take Depositions, each | .10 | | | | |
| Filing Depositions, Each Pkg., | .10 | | | | |
| Endorsing Each Package of Depositions Opened | .30 | | | | |
| Issuing Subpoenas, Each | .25 | | | | |
| Issuing Witness Certificates, each..... | .10 | | | | |
| Entering Continuances, each | .10 | | | | |
| Filing Papers, each | .30 | | | | |
| Other Orders of Court, each | .75 | | | | |
| Trial and Incidents | .30 | | | | |
| Entering Judgment, each | .15 | | | | |
| Complete Record, Per 100 Words | .75 | | | | |
| Taking Bonds, each | .25 | | | | |
| Certificate of Appeal | .15 | | | | |
| Transcript to Supreme Court, Per 100 Words | .05 | | | | |
| Additional Copies of Same, Per 100 Words | .50 | | | | |
| Issuing Executions or Copy Thereof, each | .20 | | | | |
| Entering Sheriff's Return, Per 100 Words, .15; | | | | | |
| Minimum | | | | | |
| Total Clerk's Fees | | 675- | | | |
| SHERIFF'S FEES: | | | Fees and Costs in Inferior Court: | | |
| Serving and Returning Summons or | 1.50 | | Clerk of Inferior Court Fees | | |
| Writ, each | 3.00 | | Sheriff's Fees | | |
| Levying Attachment, each | .25 | | Justice of Peace Fees | | |
| Entering and Returning Same, each | 3.00 | | Constable's Fees | | |
| Seizing Personal Property Under Writ of Detinue .. | 1.00 | | | | |
| Taking and Approving Bonds, each..... | 1.50 | | | | |
| Summoning Garnishee and Return, each | .65 | | | | |
| Serving and Returning Sci. Fa. or Notice, Each | 1.50 | | | | |
| Serving and Returning Subpoenas, each | 1.50 | | | | |
| Serving Contempt Attachment, each | .75 | | | | |
| Impaneling Jury..... | 1.50 | | | | |
| Collecting Execution for Costs Only, each..... | 5.00 | | | | |
| Coms. for Collecting Money on Executions | 2.50 | | | | |
| Executing Writs of Possession, each..... | | | | | |
| Making Deed to Real Estate Sold, each. | | | | | |
| Total Sheriff's Fees | | 300 | | | |

STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon CLARISSA WEEKS, GUY WEEKS and STANLEY WEEKS 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 W. N. DYER.

WITNESS my hand this 25 day of March, 1940.

R. S. Duck
Clerk.

W. N. DYER,
Plaintiff,
VS.
CLARISSA WEEKS, GUY
WEEKS and STANLEY
WEEKS,
Defendant.

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

1. The Plaintiff claims of the Defendants Four Hundred Forty-six and 30/100 (\$446.30) Dollars due by promissory note made by them on the 19th day of June, 1937, and payable on or before May 1st, 1938, with interest thereon from date at 8% per annum.

2. The Plaintiff claims of the Defendants Four Hundred Seventy-three and 28/100 (\$473.28) Dollars due by promissory note made by them on the ____ day of June, 1937, and payable on or before May 10th, 1939, with interest thereon at 8% per annum from date.

The Plaintiff admits a payment of Four Hundred (\$400.00) Dollars on said notes as of January 25th, 1939.

3. The Plaintiff alleges that the Defendants in, by and as a part of said notes agreed to pay an attorney's fee of 10% of the amount unpaid, in the event said notes were placed in the hands of an attorney for collection.

The Plaintiff claims of the Defendants the further sum of One Hundred (\$100.00) Dollars as a reasonable attorney's fee.

BEEBE & HALL,
By [Signature]
Attorneys for Plaintiff.

*Guy Weeks not found in
Baldwin County*

RECORDED

SUMMON AND COMPLAINT

W. N. DYER,

Plaintiff,

VS.

CLARISSA WEEKS, GUY
WEEKS and STANLEY
WEEKS,

Defendants.

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

*Filed March 25, 1940
R. S. Dyer, Clerk*

*Received in Sheriff's office
this 25th day of March 1940
W. R. Stuart Sheriff*

*Executed 4-3-40
by handing a copy of
this writ to
Clarissa Weeks and
Stanley Weeks
W. R. Stuart Sheriff
By John R. Davis Esq.
We the Jurors
find for the
Defendant*

*Edw M. Kingle
Foreman*

W. N. DYER,

PLAINTIFF

-VS-

CLARISSA WEEKS and STANLEY
WEEKS,
DEFENDANTES

IN THE CIRCUIT COURT OF

BAIRDWIN COUNTY, ALABAMA.


AT LAW.

NUMBER 575


DEMURRER

Now comes the Defendants Clarissa Weeks and Stanley Weeks and for demurrer to the Complaint in the said cause, and to each and every Count thereof, separately and severally says:

1. It does not state a cause of action.


Attorney for Defendants Clarissa
Weeks and Stanley Weeks.

The Defendants demand a trial of said cause by Jury.


Attorney for Defendants.

W. N. DYER,

Plaintiff,

VS.

CLARISSA WEEKS, GUY WEEKS
and STANLEY WEEKS,

Defendants.

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

PLEAS

Now come the Defendants and for plea to the Complaint
and to each and every count thereof, separately and severally say:

1. Not Guilty.
2. The Defendants for answer to the Complaint say that
they have paid the debt, for the recovery of which this suit is
brought, before the action was commenced.
3. The Defendants for answer to the Complaint say that
the Plaintiff, W. N. Dyer, released them from all liability on the
notes here sued on before the commencement of this suit for a valu-
able consideration which was the delivery by the Defendants to the
Plaintiff of one tractor and potato digger which property was ac-
cepted by the Plaintiff in full satisfaction of the Defendant's
liability on the said notes.

J. B. Blackburn
Attorney for Defendants.

PLEAS.

W. N. DYER,

Plaintiff,

VS.

CLARISSA WEEKS, GUY WEEKS AND
STANLEY WEEKS,

Defendants.

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

Filed
10-8-47
Archie J. Neuch
clerk

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

THE STATE OF ALABAMA, }
BALDWIN COUNTY

Circuit Court

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To J. C. Spence Jr. Attorney At Law

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Guy Weeks

as witnesses in behalf of Defendant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

W. N. Dyer

Complainant

and Clarissa Weeks, Guy Weeks and Stanley Weeks

Respondent

on oath, to be by you administered, upon him to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 22nd day of Oct, 19 47

Alvin J. Smith
Register

Commissioner's Fee, \$

Witness' Fees, \$