

UNITED BURIAL AND INSURANCE
COMPANY, a Corporation,

Plaintiff,

VS.

W. A. THOMPSON, ET AL.,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW,

NO. 548.

And now come the Defendants, separately and severally, and demur
to the complaint heretofore filed in this cause, and for ground thereof, say:

1. That said complaint does not state a cause of action.
2. That there is a misjoinder of parties defendant.
3. That said complaint joins in the same count the maker and
endorsers on the note.

Defendants demand a trial by Jury.

Reuben Lee & Reuben
Attorneys for Defendants.

Reuben Lee & Reuben
Attorneys for Defendants.

8-448
RECORDED

DEMURRER

UNITED BURIAL AND
INSURANCE COMPANY,
a Corporation,

Plaintiff,

vs.

W. A. THOMPSON, ET AL.,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW,

NO. 548.

*Filed January 13, 1940
R.S. Duck, Clerk*

September Term, 1944

December 1941
R. J. [Signature] Clerk

CLERK'S FEES			\$	Cts.	SHERIFF'S FEES			\$	Cts.
For every Summons and complaint.....	\$1.25	1			25	For Levying an Attachment.....	\$3.00		
Each copy thereof.....	.40	30	1		20	Entering and Returning Attachment.....	.25		
Entering a Sheriff's Return.....	.20	20			20	Summoning Garnishee.....	1.50		
Docketing.....	.25	25			25	Serving Summons on Writ.....	3 S. 1.50	4	50
Entering Apperance.....	.20	20				Serving Notice Sci: Fa. Notice, etc....	.65		
Filing.....	.30	30			30	Serving Subpoenas.....	.65		
Every Order made in Court.....	.25	25			30	Empanelling Jury.....	.75		
Copy thereof.....	.75	75				Entering and Returning Execution.....	.25		
Every Trial with or without Jury.....	.30	30				Collecting Costs Execution.....	S. 1.50	1	50
Entering up Judgment or copy threof..	.50	50				Executing a Writ of Pessionion.....	2.50		
Issuing Execution.....	.25	25			50	Taking and Approving Bonds.....	1.00		
Docketing Execution.....	.20	20				Commissions.....			
Entering Return on Execution.....	.30	30			20	Sheriff's Commission for Property Sold Under Attachment.....			
Issuing Subpoenas.....	.25	25				Seizing Personal Property on Writ of Detinue.....	3.00		
Administering Oath.....	1.00	100						6	00
Issuing Each Attachment Taking Bond	.10	10			RECAPITULATION				
Filing Attachment.....	.50	50				Clerk's Fees.....		7	50
Each Summons for Garnishee.....	.50	50				Sheriff's Fees.....		6	00
Each copy.....	.20	20				Justice's Fees.....			
Notice to Deft. in Garnishee on Sum- mons and Copy, per 100 words.....	.75	75				Witness Fees in Justice of Peace Court			
Commissions to take Depositions or copy.....	.30	30				Constable's Fees.....			
Order to Execute Writ of Inquiry.....	.50	50				Commissioner's Fees.....			
Copy of Interrogators, 15c per hundred words or.....	.20	20				Printer's Fees.....			
Filing each Deposition and endorsing same.....	.15	15	3	00		Witness Fees in Circuit Court.....			
Final Record, per hundred words.....	.50	50				Former Clerk's Fees.....			
Every Certificate.....	.75	75			30	Stenographer's Fees.....	5.00		
Taking Bond not otherwise provided for.....	.25	25				Trial Tax.....	3.00	3	00
Witness Certificate.....	.10	10							
Continuance.....	.50	50							
Certificate of Judgment.....	1.00	100							
Order of Publication.....									
			7	50				16	50

Letter 2/16/42

No. 548 Page

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

UNITED BURIAL & INSURANCE COMPANY

Plaintiff

vs.

W. A. THOMAS, ET AL'S

Defendant

Civil Execution for Costs
Against Plaintiff

Costs - - - - \$ 16.50

Civil Fee Book... CDS Page

Execution Docket Page

Filed December 15, 1941

Clerk.

James Austin Plaintiff's Attorney

Defendant's Attorney

Received in Sheriff's Office

this 15 day of Dec., 1941

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

Returned for Alice
March 10, 1942
W. R. Stuart Sheriff
By M. B. Hamilton
deputy sheriff

Sheriff

THE STATE OF ALABAMA,
Baldwin County.

By virtue of the within execution, I have at

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

THE STATE OF ALABAMA,
Baldwin County.

No. 548

CIRCUIT COURT

December

1939

To Any Sheriff of the State of Alabama :

You are hereby commanded to summon W. A. THOMPSON, W. N. HOWELL, R.E.
COOTS, A. L. HALL,

to appear and plead, answer or demur, within thirty day from the service hereof, to the Complaint filed in
the Circuit Court of Baldwin County, State of Alabama at Bay Minette, Ala., against

Defendant s by

UNITED BURIAL AND INSURANCE CO., a Corporation,

Plaintiff

Witness my hand this 27th day of December 1939

Clerk.

COMPLAINT

UNITED BURIAL AND INSURANCE
COMPANY, A CORPORATION,

W. A. THOMPSON, W. N. HOWELL,
R. E. COOTS, A. L. HALL,

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

JERE AUSTELL

Plaintiff's Attorney.

THE STATE OF ALABAMA,
Baldwin County.

No. 548

CIRCUIT COURT

December 193 9

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Witness my hand this 27th day of December 193 9

Clerk.

COMPLAINT

UNITED BURIAL AND INSURANCE

W. A. THOMPSON, W. N. HOWELL,

COMPANY, A CORPORATION,

R. E. COOTS, A. L. HALL

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

JERE AUSTILL

Plaintiff's Attorney.

UNITED BURIAL AND INSURANCE CO.,
A CORPORATION,

PLAINTIFF,

-VS-

W. A. THOMPSON,
W. N. HOWELL,
R. E. COOTS,
A. L. HALL,

DEFENDANTS,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
AT LAW NO. _____

COUNT ONE:- The plaintiff claims of the defend-

ants the sum of FOUR HUNDRED SIXTY ONE DOLLARS AND FIFTY THREE CENTS (\$461.53) due by a promissory note dated September 10th, 1935, payable on demand at the American National Bank and Trust Company of Mobile, Alabama which said note was signed by the Defendant, W. A. Thompson and endorsed by the Defendants, W.N. HOWELL, R. E. COOTS, AND A. L. HALL, and delivered to the Plaintiff, bearing an endorsement on the face thereof as follows:- "\$5.00 per week until paid in full"; and the plaintiff alleges that said note is now in default, and is entirely due and payable and that each of the endorers of said note severally agreed to pay the same and did waive all right of exemptions under the laws of the State of Alabama and the maker thereof and all of said endorers did further agree to pay all costs of collecting said note, including a reasonable attorney's fee, wherefore plaintiff brings this suit and demands Judgment for the principal amount of said note with legal interest thereon less \$10.00 which plaintiff admits was paid on account thereof.

COUNT TWO:- The plaintiff claims of the defendant the sum of SEVENTY FIVE DOLLARS (\$75.00) as a reasonable Attorney's fee for bringing suit on the note described in Count One above and alleges that said sum is a reasonable fee for the Attorney bringing said suit.

James H. Little
ATTORNEY FOR PLAINTIFF

Executed 12/28-28829 1939
by serving copy of within Summons and
Complaint on

W. N. Howell - 12-28
W. A. Thompson - 12-28-39
Robert E. Coates 12/29/39
A. J. Haeck, not faced
By: W. P. Pruitt Sheriff
H. P. Pruitt Deputy Sheriff

RECORDED

244-8

Original

SUMMONS & COMPLAINT

Filed December 27, 1939

CLERK

Deputy

DEC 27 1939

Record in -
Sheriff's Office - W. P. Pruitt
Sheriff