

661

DR. J. C. O'GWYNN, SR., AND
DR. J. C. O'GWYNN, JR., PARTNERS
DOING BUSINESS UNDER FIRM NAME
AND STYLE OF DRS. O'GWYNN AND
O'GWYNN,

Plaintiffs

-vs-

MRS. ALEXANDRA TALPARY, ALSO
KNOWN AS MRS. C. P. TALPARY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Comes the Defendant in the above styled cause and demurs
to the Complaint filed in said cause, and to each and every count
thereof separately and severally, and as grounds therefor says:-

FIRST:

That said Complaint does not state a cause of action.

SECOND:

That said Complaint shows that said account is barred
by the Statute of Limitations, of three years.

THIRD:

That Count 2 of said Complaint fails to state that the
sum of money claimed therein is due from the Defendant.

FOURTH:

That in the statement filed with said Complaint and made
a part thereof, it is shown that the Plaintiff is attempting to
charge the Defendant with the debts of some third person, and said
Complaint fails to state that the Defendant entered into any agree-
ment in writing whereby she agreed to pay said account in accord-
ance with the Statute of Frauds.

Hayward & Pearson
Attorneys for Defendant.

RECORDED

DEMURRER.

DR. J. C. O'GWYNN, SR., AND
DR. J. C. O'GWYNN, JR.,
PARTNERS DOING BUSINESS
UNDER THE FIRM NAME AND
STYLE OF DRS. O'GWYNN AND
O'GWYNN,

Plaintiffs,

-vs-

MRS. ALEXANDRA TAMPARY,
ALSO KNOWN AS MRS. C. P.
TAMPARY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

FILED 12 DAY OF JUNE, 1941.

R. S. Duck
Clerk.

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT
AT LAW

TO ANY SHERIFF IN THE STATE OF ALABAMA:

You are hereby commanded to summon Mrs. Alexandra Tampary, also known as Mrs. C. P. Tampary, to appear and plead, answer or demur to the complaint filed in this Court against her by Drs. O'Gwynn and O'Gwynn, a partnership composed of Dr. J. C. O'Gwynn, Sr., and Dr. J. C. O'Gwynn, Jr.

Herein fail not and make due return as the law directs.

Witness my hand this 15th day of May, 1941.

R. L. Dorch
Clerk.

.....

Dr. J. C. O'Gwynn, Sr., and
Dr. J. C. O'Gwynn, Jr., partners
doing business under firm name)
and style of DRS. O'GWYNN AND
O'GWYNN, Plaintiffs

vs.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW.

MRS. ALEXANDRA TAMPARY, also
known as Mrs. C. P. Tampary,
Defendant

1. The Plaintiffs claim of the defendant One Hundred and Fifty Dollars (\$150.00) due from her by account on to-wit: the 15th day of May, 1938, which sum of money, with the interest thereon, is still unpaid.

2. The plaintiffs claim of the defendant One Hundred and Fifty Dollars (\$150.00) on account stated between the plaintiffs and defendant on, to-wit: the 15th day of May, 1938, which sum of money, with the interest thereon, is still unpaid.

H. E. Smith
Attorney for plaintiffs

The plaintiffs file with the foregoing complaint a statement of said account verified by affidavit.

H. E. Smith
Attorney for plaintiffs

RECORDED 661

Summons & Complaint

Dr. J. C. O'Donnell, Sr. et al.,
Plaintiffs

vs -
Mrs. Alexandra Lampary,
Defendant

Filed May 15, 1941,
R.S. Duck, clerk

Received in Sheriff's Office
this 15 day of May, 1941
W. R. STUART, Sheriff

Executed this 17 day of May 1941

By ~~W. R. Stuart~~ serving

~~W. R. Stuart~~ copy of within
summons & complaint on

Mrs. Alexandra Lampary
~~W. R. Stuart~~

W. R. Stuart
Sheriff

D. J. Higgins
D. S.

STATE OF ALABAMA:

COUNTY OF MOBILE:

Before me, the undersigned authority in and for said
State and County, personally appeared _____

Dr. J. C. O'Leary Jr
known to me, who being by me first duly sworn, upon his oath
deposes and says that upon his best information, knowledge and
belief Mrs. C. P. Tansley

is not a member of the Armed Forces or Military Service of the
United States of America. And said Dr. J. C. O'Leary Jr

further states that the basis for his making said affidavit
that upon his best information, knowledge and belief,

that Mrs. C. P. Tansley

is not a member of the Armed Forces or Military Service of the
United States of America is that: Mrs. C. P. Tansley

resides in Daphne, Ala

Dr. J. C. O'Leary Jr.

Sworn to and subscribed before me on

this the 16th day of March 1945

W. F. Sater
Notary Public, Mobile County, Alabama

RECORDED

Affidavit

194

Filed May 15, 1941
R. S. Duck, Clerk