

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT . . LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:-

You are hereby commanded to summons Howard Hayes to appear within thirty (30) days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of A. A. Corte & Sons.

WITNESS my hand this ______ day of April, 1950.

Clerk

- COMPLAINT -

A. A. CORTE & SONS,

()

Plaintiff,
() IN THE CIRCUIT COURT OF

-vs() BALDWIN COUNTY, ALABAMA

HOWARD HAYES,
() LAW SIDE

Defendant. ()

- COUNT I -

The plaintiff claims of the defendant Sixty-four & 35/100 Dollars (\$64.35) due by Promissory Note made by him on, to-wit, August 9, 1948, and payable on October 1, 1948, with interest at the rate of six per cent (6%) per annum from October 1, 1948.

The plaintiff evers that in and by the terms of the said note the defendant waived all right to exemption under the Constitution and Laws of Alabama or any other state as to personal property and of this waiver the plaintiff now claims the benefit.

The plaintiff further avers that in and by the terms of said note, the defendant agreed to pay all costs of collecting or securing or attempting to collect or secure this note, including a reasonable attorney's fee, and the plaintiff further claims of the defendant the further and additional sum of Twenty-five Dollars (\$25.00) as such reasonable attorney's fee.

- COUNT II -

The plaintiff claims of the defendant One Hundred Eighty-four \$185.50 B 51/100 Bollars (\$184.51) for merchandise, goods and chattels sold

by the plaintiff to the defendant on or about the 5th day of May, 1948, which sum of money, with the interest thereon, is still unpaid.

Attorney for Plaintiff

Received in Sheriff's Office this Cay of July 55 of TAYLOR WILAIMS, Sheriff

executed 4-// 195.6

Executed 5 perving copy of within Summons and Complaint on

Taylor Wilking Sheriff

SUMMONS AND COMPLAINT

A. A. CORTE & SONS,

Plaintiff,

•≈VS⊷

HOWARD HAYES,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
LAW SIDE

Filed 4-5-50 acicef. which.

ATTORNEY AT LAW FOLEY, ALABAMA

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| No. 1/182 | Baldwin | County, Circuit Court. | | |
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| A. A. CORTE & SONS | | 1 1 | 4 | |
| Plaintiff vs. | | | e en | |
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| EOWARD HAYAS Defendant | | | | |
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| Alice J. Duck | | s Gironit | Court, | |
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| of Baldwin | County, Alaba | ma, hereby certify that in the c | ause of | |
| A. A. COR | TE & SONS | Plaint | ff | |
| 145 445 V SA | VS. | | , | |
| HOWARD EAT | YES | Defen | lant, | |
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| which was tried and determined in | n this Court, on the 18th day | | | • |
| in which there was a judgment for | r\$263 . 67 | Dollars, in favor of the P | aintiff, | |
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| (or indoment for Defendant) the | on the _1 | 6th day of February | | |
| | | 6th day of February | | |
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THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE COURT OF APPEALS OF ALABAMA

October Term, 19 53

| To the Clerk of t | he Circuit Court of | Baldwin | Count | y, Greeting: |
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| Whereas, the | Record and Procee | dings of the Circuit Cour | t of said County, in | n a certain cause |
| lately pending in | said Court between | · | | |
| | 1. A 2. A 2. A | Howard Hayes | | , Appellant, |
| | ************************************** | en e | | |
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| wherein by said | Court, at the | | Term, 19 | , it was considered |
| adversely to said | appellant, were | e brought before our Cour | rt of Appeals, by ap | peal taken, pursu- |
| ant to law, on be | half of said appellar | ıt | 2 | 97 20 |
| Now, it is he | ereby certified, That | it was thereupon conside | ercd by our Court | of Appeals on the |
| | | April | | 4 |
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| 4 - 4 # P 4 | 40 | her considered that the a | | |
| percent dar | mages thereon | y the judgment of with interest, and in this Court and in the C | ıd | |
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| | | Witness Cha | rles Bricken, Jr., C | lerk of the Court |
| | | | of Alabama, at the | |
| | | | ay of April | 19 54 |
| | | Clan | | man Dr |
| | | Clerk | of the Court of App | eals of Alabama. |

| v. A. A. Corte & Son | 9 |
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| Howard Hayes v. A. A. Corte & Son From Baldwin C CERTIFICATE OF DISMI | |
| Howard Hayes v. A. A. Corte & Son From Baldwin C CERTIFICATE OF DISMI | |
| v. A. A. Corte & Son From Baldwin C CERTIFICATE OF DISMI | ppellant |
| From Baldwin C | |
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| CERTIFICATE OF DISMI smissed for want of pr | rcuit Cour |
| The State of Alabama, Buldwin Cou his 10 De day of April | osecutio 1 |

LITHO-SXINKER-MONTGONERY

Answer

A. A. CORTE & SONS Plaintiff

VS.

HOWARD HAYES Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALAPAMA
LAW SIDE

PLEA ONE

The defendant for answer to count one of the complaint, saith that he tendered to the plaintiff the amount due to him, to-wit; Sixty-five dollars (\$65.00), before the action was commenced, and now brings the money into court.

PLEA TWO

The defendant for answer to count two of the complaint, seith that the allegations contained therein are untrue.

PLEA THREE

The defendant for further answer to count two of the complaint, saith that he has paid the debt, for the recovery of which this suit was brought, before the action was commenced.

Attorney for Defindant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN LAW

A. A. CORTE. & SONS
Plaintiff

VS.

HOWARD HAYES

Defendant

ANSWER

<u>*</u>*************

OCT 3 1950
ALICE A DUCK, Clurk

ARTHUR C. EPPERSON ATTORNEY AT LAW-FOLEY, ALABAMA

SUPERSEDEAS BOND

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we HOWARD HAYES, DAN HAYES and <u>Orah B. Ewing</u>, are held and firmly bound unto A. A. Corte and Sons in the just and full sum of Six Hundred Dollars (\$600.00), for the payment of which, well and truly to be made and done, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this the 16th day of February, 1954.

The condition of the above obligation is such, that whereas on the 18 th day of August; 1953, A. A. Corte and Sons obtained a judgment in the Circuit Court of Baldwin County, Alabama, against Howard Hayes for the sum of \$263.67 debt and cost in that behalf expended: and whereas, on this day the said Howard Hayes as such defendant has made application for an appeal from said judgment to the next term of the Supreme Court to be holden for said State, to reverse said judgment, and also for supersedeas of the execution of said judgment, which has been granted on entering into this bond.

Now therefore, the condition of the foregoing obligation is such, that if the said Howard Hayes shall prosecute his said appeal to effect, and satisfy such judgment as the Supreme Court may render in this case, then the said Obligation to be null and void, otherwise to remain if full force and effect.

Howard Hafes (SEAL) Orch B. Ewing (SEAL) Dan & Heyer (SEAL)

APPROVED:

This the 18th day OF February, 1954

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IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

LAW SIDE.

A. A. CORTE & SONS
Plaintiff

V5

HOWARD HAYES

Defendant

SUPERSEDEAS BOND

FEB 18 1954

THE STATE OF ALABAMA | Baldwin County - Circuit Court |

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

| V | Whereas, at a Term of the (| Circuit Court of Ba | ldwin County, hel | d on the |
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| | 218th Day Of Au | gust Mond | X XXX | , 19 5 3, in a cer- |
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| tain caus | e in said Court wherein | A. A. Corte & | Sons | and the second s |
| • | | Plaintiff and | Howard Haz | res |
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| | | Defer | idant, a judgment | was rendered against said |
| | Haward Haves | | | |
| · | Howard Hayes | | | |
| to reverse | e whichJudgment | the said | Howard Haves | <u> </u> |
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| applied f | or and obtained from this | office an APPEAI | , returnable to t | he next term |
| with | orah B. Ewing, D | an C. Hayes | | , sureties, |
| **!************** | | | | |
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| 1 | Now, You Are Hereby Con | nmanded, without | delay, to cite the | said Q-Q-60-7-08 |
| For | <u> </u> | or | C.G. Chason | |
| | , attorney, to | appear at the | Next | Term of our |
| said Suj | preme Court, to defend ag | ainst the said App | eal, if they | think proper. |
| 7 | Witness, ALICE J. DUCK, | Clerk of the Circuit | Court of said Cou | unty, this19.th |
| day of | Feb , A. | D., 19 2 54 | | |
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