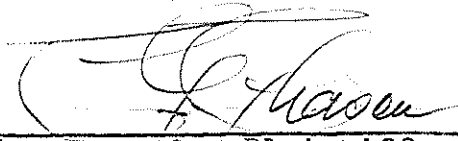


by the plaintiff to the defendant on or about the 5th day of May, 1948, which sum of money, with the interest thereon, is still unpaid.



Attorney for Plaintiff

4-11-50

Received in Sheriff's Office
this 6 day of April 1950
TAYLOR WILKINS, Sheriff

no 1482

SUMMONS AND COMPLAINT

Executed 4-11 1950
Serving copy of within Summons and
complaint on

A. A. CORTE & SONS,
Plaintiff,
-VS-
HOWARD HAYES,
Defendant.

Taylor Wilkins Sheriff
By Leigh S. Thaddeus Sheriff

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
LAW SIDE

Filed 4-5-50
A. G. Chason
CECIL G. CHASON
ATTORNEY AT LAW
FOLEY, ALABAMA

Div. No. _____

CERTIFICATE OF APPEAL (Civil Cases)

No. 1482

Baldwin

County, Circuit Court.

A. A. CORTE & SONS

Plaintiff

vs.

HOWARD HAYES

Defendant

I, Alice J. Duck, Clerk of Circuit Court,

of Baldwin County, Alabama, hereby certify that in the cause of

A. A. CORTE & SONS

Plaintiff, vs.

vs.

HOWARD HAYES

Defendant,

which was tried and determined in this Court, on the 18th day of August 1953.

in which there was a judgment for \$263.67 Dollars, in favor of the Plaintiff,

(or judgment for Defendant), the Defendant on the 16th day of February

1954 took an appeal to the Court of Appeals Court of Alabama to be holden of and for said State.

I further certify that Howard Hayes filed

security for cost of appeal, to the Court Of Appeals Court, on the 16th day of February

1954, and that Howard Hayes, Orah B. Ewing and Dan C. Hayes

are sureties on the appeal bond.

I further certify that notice of the said appeal was, on the _____ day of _____

19_____, served on _____ as attorney of record for said

appellee, and that the amount sued for was _____ Dollars.

(or certain lands) (or personal property)

Witness my hand and seal of this Court, this the _____ day of Feb 1954

Alice J. Duck
Clerk of the Circuit Court of

County, Alabama

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE COURT OF APPEALS OF ALABAMA

October Term, 19 53

To the Clerk of the Circuit Court of Baldwin County, Greeting:

Whereas, the Record and Proceedings of the Circuit Court of said County, in a certain cause lately pending in said Court between

Howard Hayes, Appellant,

and

A. A. Corte & Sons, Appellee,

wherein by said Court, at the Term, 19, it was considered adversely to said appellant, were brought before our Court of Appeals, by appeal taken, pursuant to law, on behalf of said appellant.

Now, it is hereby certified, That it was thereupon considered by our Court of Appeals on the 8th day of April 19 54,

, that the said appeal be and stand dismissed; and that it was further considered that the appellant, and Dan C. Hayes and Orah B. Ewin

sureties on the appeal bond pay the judgment of the Circuit Court, ten percent damages thereon with interest, and

pay the costs accruing on said appeal in this Court and in the Court below

Witness Charles Bricken, Jr., Clerk of the Court of Appeals of Alabama, at the Capitol, this the 8th day of April 19 54


Clerk of the Court of Appeals of Alabama.

1482

THE COURT OF APPEALS OF ALABAMA

October Term, 1953

1st Div. No. 689

Howard Hayes

Appellant,

v.

A. A. Corte & Sons

Appellee.

From Baldwin Circuit Court

CERTIFICATE OF DISMISSAL

Dismissed for want of prosecution

The State of Alabama,

Baldwin County.

} Filed

this 10th day of April 1954

Answer

A. A. CORTE & SONS
Plaintiff

VS.

HOWARD HAYES
Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
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, saith 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.

Arthur C. Epperson
Attorney for Defendant

1482 32

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN LAW

A. A. CORTE & SONS
Plaintiff

VS.

HOWARD HAYES
Defendant

ANSWER

FILED
OCT 3 1950
ALICE A. DUCK, Clerk

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

STATE OF ALABAMA

SUPERSEDEAS BOND

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we HOWARD HAYES, DAN HAYES and Orah B. Ewing, 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 in full force and effect.

Howard Hayes (SEAL)

Orah B. Ewing (SEAL)

Dan L. Hayes (SEAL)

APPROVED:

This the 18th day OF February, 1954

Wesley J. Durre
CLERK

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE.

A. A. CORTE & SONS
Plaintiff

VS

HOWARD HAYES
Defendant

SUPERSEDEAS BOND

FILED
FEB 18 1954
ALICE L. DUCK, Clerk

THE STATE OF ALABAMA }
Baldwin County - Circuit Court }

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

Whereas, at a Term of the Circuit Court of Baldwin County, held on the
18th Day Of August ~~Monday~~ ~~1943~~, in a cer-
tain cause in said Court wherein A. A. Corte & Sons
Plaintiff, and Howard Hayes
Defendant, a judgment was rendered against said
Howard Hayes
to reverse which Judgment, the said Howard Hayes
applied for and obtained from this office an APPEAL, returnable to the next term
Term of our Court Of Appeals ~~Court~~ of the State of Alabama, to be held at Montgomery,
on the day of, 194..... next, and the necessary bond
having been given by the said Howard Hayes
with Orah B. Ewing, Dan C. Hayes, sureties,

Now, You Are Hereby Commanded, without delay, to cite the said A. A. Corte & Sons
~~Howard Hayes~~ or C. G. Chason
....., attorney, to appear at the Next Term of our
said Supreme Court, to defend against the said Appeal, if they think proper.

Witness, ALICE J. DUCK, Clerk of the Circuit Court of said County, this19th.....
day of Feb, A. D., 1954.

Attest:

Alice J. Duck, Clerk.

Received 20 day of Feb 1934
and on 22 day of Feb 1934
served a copy of the within

service on C. H. Casam

TAYLOR WILKINS, Sheriff
By Colley S. Steadman S

NO. 1482

CIRCUIT COURT
Baldwin County, Alabama

A.A. Corte & Sons

Vs. } Citation in Appeal

Howard Hayes

Issued day of, 194.....

signed me
Howe. A. H. Casam