

ALICE J. DUCK, as Register of the
Circuit Court of Baldwin County,
Alabama, for the use of WILLIAM C.
McCLURE, ELIZABETH McCLURE, and
ADDIE BRINEX,

Plaintiffs,

vs.

CALLIE MAE TANNER WATTS,
DR. AMOS GARRETT, W.D. BROWN,
and J.W. HAMBURG,

Defendants.

NO.

2104

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

Comes the plaintiffs and move the court for leave to
amend the complaint and count one thereof in this cause, as
per ammended complaint filed herewith.

J. B. Blashline
V. R. Jansen
Attorneys for Plaintiffs

RECORDED

MOTION FOR LEAVE
TO AMEND

ALICE J. DUCK, as Register
of the Circuit Court of
Baldwin County, Alabama, for
the use of WILLIAM C. McCLURE
ELIZABETH McCLURE, and ADDIE
BRINEY,

Plaintiffs,

vs.

CALLIE MAE TANNER WATTS,
DR. AMOS GARRETT, W. D.
BROWN, and J. W. HAMBURG,

Defendants.

NO. _____

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

Filed 1-14-54
Alice French
clerk

ALICE J. DUCK, as Register of the
Circuit Court of Baldwin County,
Alabama, for the use of WILLIAM C.
McCLURE, ELIZABETH McCLURE and
ADDIE BRINEY,

Plaintiffs,

vs.

CALLIE MAE TANNER WATTS,
DR. AMOS GARRETT, E. D. BROWN,
and J. W. HAMBURG,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

Come the Defendants in the above styled cause and demur to
the complaint filed in said cause and assign the following separate
and several grounds, viz:

1. That said complaint does not state a cause of action.
2. That said complaint fails to state that the bond referred
to in said complaint was a supersedeas bond.
3. That the allegations contained in said bond are not
sufficiently set out in said complaint.
4. That it is not alleged that the bond referred to was
approved by the Plaintiff in said cause.
5. That it is not alleged what real property in Mobile
County was referred to in the decree mentioned therein.
6. That the personal property referred to in said com-
plaint is not properly described.
7. For aught that appears from said complaint the court
costs referred to in said bond have been paid.
8. For aught that appears from said complaint the Defen-
dants have paid the amount of the bond to the Register.
9. That said complaint fails to set out the amount of the
attorney's fee referred to therein.


Attorney for Defendants.

RECORDED
DEMURRER

ALICE J. DUCK, as Register of the
Circuit Court of Baldwin County,
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McCLURE, ELIZABETH McCLURE and
ADDIE BRINEY,

Plaintiffs,

vs.

CALLIE MAE TANNER WATTS,
DR. AMOS GARRETT, E. D. BROWN,
and J. W. HAMBURG,

Defendants.

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

Filed this 2nd day of November,
1953.

Alice J. Duck
Clerk

SUMMONS

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Callie Mae Tanner Watts, Dr. Amos Garrett, E. D. Brown and J. W. Hamburg 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 same, then and there to answer the complaint of Alice J. Duck, as Register of the Circuit Court of Baldwin County, Alabama, for the use of William C. McClure, Elizabeth McClure and Addie Briney.

WITNESS my hand this 7th day of October, 1953.



Clerk of the Circuit Court of Baldwin
County, Alabama.

The defendant, Callie Mae Tanner Watts,
resides near Foley or at Orange Beach.

The defendant, Amos Garrett, resides in
Robertsdale.

The defendant, E. D. Brown, resides in
Orange Beach.

The defendant, J. W. Hamburg, resides in
or near Foley.

ALICE J. DUCK, as Register of the
Circuit Court of Baldwin County,
Alabama, for the use of WILLIAM C.
McCLURE, ELIZABETH McClure and
ADDIE BRINEY,

Plaintiffs,

vs.

CALLIE MAE TANNER WATTS,
DR. AMOS GARRETT, E.D. BROWN,
and A.J.W. HAMBURG,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

NO. _____

AT LAW.

COUNT ONE

The Plaintiff as Register in Chancery of the Circuit Court of Baldwin County, Alabama for the use of William C. McClure, Elizabeth McClure and Addie Briney claims of the Defendants One Thousand (\$1,000.00) dollars for the breach of the condition of a bond under seal, made by the Defendants on the 16th day of July 1951, payable to the Plaintiff; in the sum of One Thousand (\$1,000.00) dollars with condition that if Callie Mae Tanner shall prosecute the appeal in the case of William C. McClure, Elizabeth McClure and Addie Briney against Callie Mae Tanner from a decree rendered on the 8th day of December, 1950 to effect and satisfy such decree as may be rendered against her in said cause by the Supreme Court and all such cost and damages as may be sustained by reason of the wrongful appeal and suspension of the execution of the above mentioned judgment or decree, then this obligation to be null and void, otherwise to remain in full force and effect. And the plaintiff says that the condition of said bond has been broken by the Defendants in this, the decree of December 8th, 1950 by the Circuit Court of Baldwin County, Alabama provided for the delivery of possession to William C. McClure, Elizabeth McClure and Addie Briney of real property in Mobile County, Alabama and further provided that personal property consisting of household furniture and equipment be returned to the complainants in said suit, that the filing of the bond suspended the execution of this decree from, to-wit, the 16th day of July 1951 to, to-wit, June 19, 1953, and kept the complainants from the use of said property, that Complainants in said proceeding were required to incur expenses in the employment of solicitors to represent them in the appeal

to the Supreme Court and the application for rehearing in said Court, that the Defendants failed in this appeal and wholly failed to pay the plaintiffs damages, all to the damage of the plaintiffs as above stated.

J. B. Blackburn
V. R. Jansen
Attorneys for Plaintiffs

Plaintiff demands a trial By jury.

J. B. Blackburn
V. R. Jansen
Attorneys for Plaintiffs

This 7 day of Oct, 1933
TAYLOR WILKINS, Sheriff

RECORDED

SUMMONS AND COMPLAINT

ALICE J. DUCK, as Register of the
Circuit Court of Baldwin County,
Alabama, for the use of WILLIAM C.
McCLURE, ELIZABETH McCLURE and
ADDIE BRINEY,

Plaintiffs,

VS.

CALLIE MAE TANNER WATTS, DR. AMOS
GARRETT, E. D. BROWN and J. W.
HAMBURG,

Defendants.

Received _____ day of _____ 19____
and on 14 day of Oct 1933
I served a copy of the within
on Callie Mae Tanner Watts, Dr.
Amos Garrett, E. D. Brown, J. W. Hamburg
By service on _____

TAYLOR WILKINS, Sheriff
By Edna H. Standley D.S.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

FILED
OCT 7 1933
ALICE J. DUCK, Clerk
J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

ALICE J. DUCK, as Register of the
Circuit Court of Baldwin County,
Alabama, for the use of WILLIAM C.
McCLURE, ELIZABETH McCLURE and
ADDIE BRINEY,

Plaintiffs,

vs.

CALLIE MAE TANNER WATTS,
DR. AMOS GARRETT, E.D. BROWN,
and J.W. HAMBURG,

Defendants.

NO. _____

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

AMENDED COMPLAINT

The plaintiff, as Register in Chancery of the Circuit Court of Baldwin County, Alabama, for use of William C. McClure, Elizabeth McClure and Addie Briney, claims of the defendants, and each of them, the sum of One Thousand (\$1,000.00) Dollars damages for the breach of the condition of a bond, under seal, made by the defendants on the 16th day of July, 1951 in words and figures as follows;

APPEAL BOND

STATE OF ALABAMA

COUNTY OF MOBILE

KNOW ALL MEN BY THESE PRESENTS that we, Calla Mai Tanner and Amos Garrett, E.D. Brown, J.W. Hamburg are held firmly bound unto Alice J. Duck Register in Chancery of the Circuit Court of Baldwin County, Alabama, in the just and full sum of One Thousand and No/100 (\$1,000.00) Dollars, 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, administrators or successors, jointly and severally, firmly by these presents.

Sealed with our seals and dated this the 16th day of July, 1951.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that, whereas, William C. McClure, Elizabeth McClure and Addie Briney have obtained a decree in the cause of William C. McClure, et al, vs Callie

EXHIBIT "A"

1, 2 pc. living room suite, red velour
1 green tapestry overstuffed chair and ottoman
4 wool rugs (9x12)
1, 3 pc. sofa bed and chair set
1, 7 room gas circulating heater
1, floor lamp
curtains, shades, drapes
picture 48" x 54"

1 new dining room suite with china closet, 6 chairs and buffet
1 studio couch

1 metal double bed, coil springs, innerspring mattress
2 pillows, 1 vanity, 1 large 3 drawer dresser, large mirror, curtains shades.

1 maytag washer, square aluminum tub, 1, 5 radiant gas heater

1 double maple bed, springs, coil springs, mattress
vanity, 1 bench, 1, 4 drawer chest, 3 wool throw rugs
curtains, shades, 2 pillows, 1 occasional table, 1 maple table lamp

1 linoleum, new (9x12)
1 old double bed- spring and mattress, value about 10.00
1 maple vanity, second hand mirror, junk.

drapes

4 drawer chest, 1 double mirrored wardrobe, 1 8x10 1/2 linoleum

6 chairs, slatted, kitchen, 1 breakfast table, 1 kitchen cabinet
1 6 rm circulating coal heater, 1 gas heater, 5 radiant
1 4 burner gas range, 1 hot water tank, 1 ice box
linoleum, complete coverage

1 lawn mower

1 linoleum hall runner, 45' long

1 3 cushion porch swing
2 metal chairs

3 pc. bedroom suite, 1
1 Singer sewing machine, treadle, with motor
1, 9 cu ft deepfreeze
1 electric ironer
1, 5 pc. breakfast table & 4 chairs
1 new cedar robe
1, 5 drawer chest
2 cedar chests
1 trunk, 1 console radio 1 porch upholstered lounge chair
23 family pictures, framed
bric a brac
2 tapestries
1 floor lamp
assorted china, kitchen utensils, silver, linens

1, 6 cu ft Norge refrigerator
2 twin maple beds with coil springs and innersprings mattresses
2 desks
1 floor lamp

1 deep freeze 1 cedar chest 1 silverware chest
ironer
coke chest
5 pc breakfast set

bedroom suite, sewing machine, cedar robe, trunk, radio, cedar chest, wh

AMENDED COMPLAINT
RECORDED

ALICE J. DUCK, as Register of the
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Plaintiffs,

vs.

CALLIE MAE TANNER WATTS,
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Defendants.

NO. _____

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

Filed 1-14-54
Alice J. Duck
Clerk

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