

George W. Mitchell)

vs

P.Y. Albright.)

In the Circuit Court of Baldwin County.

Now comes the plaintiff, by his attorney, and shows unto the court that on, to-wit, the 21st day of November, 1912, being a day of the present term of said court, the plaintiff in said cause took a non-suit, with a bill of exceptions, on account of the adverse rulings of the court on the evidence. Plaintiff further avers that said rulings consisted of the refusal of the court to admit in evidence a certain instrument purporting to be the bond sued on. Plaintiff respectfully submits that the court erred in refusing to admit said bond in evidence. Plaintiff further avers that he has a meritorious cause of action and that substantial justice will be done by setting aside said non-suit.

Wherefore, plaintiff moves the court to set aside said non-suit, and to reinstate said cause on the trial docket.

George W. Mitchell

By John E. Mitchell
Attorney.

State of Alabama

~~Baldwin~~
Mobile County.

J.W. Richardson, Clerk of the Circuit Court

Before me, ~~Helen Lyons~~, a notary public in and for the county aforesaid, personally appeared John E. Mitchell, who, being first duly sworn, says that the allegations contained in the foregoing motion are true.

Given under my hand this 24th day of November, 1912.

J.W. Richardson, Clerk Circuit Court
Notary Public, Mobile County, Alabama

I hereby accept notice of the filing
of the above motion. Leslie Hall
Clerk for Plaintiff
Nov. 27 1912.
Motion overruled & motion excepts
O. G. Smith
Judge

Filed Nov 26 1912
J.W. Richardson Clerk