

M.H. Miller, Plaintiff,

vs

Circuit Court Baldwin CO.

Lucile G. Mechem, Defendant.


Comes the defendant in the above entitled Cause, and moves the court to set aside the judgment obtained therein, and to grant to defendant a new trial on the following grounds:

1st. Because proper service was not had upon defendant as required by law.

2nd. Because the defendant has a meritorious defense to the claim sued upon, which said ground is supported by affidavits attached hereto.


Attorneys for defendant.)

We hereby certify that on the ^{24th} ~~27~~ day of May, 1915 we served a copy of the above motion with the affidavits thereto, upon Hon. John Mithell, attorney for the plaintiff in this cause.


Attorneys for defendant.)

5/25. ~~Granted~~
Could,
At Gumbel
Jully

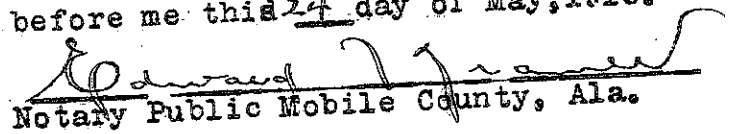
State of Alabama,

Mobile County.

Personally appeared before me Edward Kramer,
a notary public in and for said state and county D.H. Edington,
ton, who being by me duly sworn says that he is a member of
the firm of Gordon & Edington; that sometime in the year
1914 M.H. Miller, the complainant in the cause of Miller vs
Mechem filed in the Circuit court of Baldwin County, endeavor-
ed to get C.C. Mechem, husband of the defendant, to pay a claim
for lumber alleged to have been sold him. Soon thereafter
the said C.C. Mechem left state and his wife, the said above
defendant. That the said defendant, Lucile Mechem, went
for a stay in Atlanta and affiant agreed to look after the
case if she were ever sued. Affiant says he has full knowl-
edge of the facts as claimed by C.C. Mechem, and further
that the said Lucile Mechem knows nothing of the transaction
as to making the order for the lumber; that he makes affidavit
that the said Lucile Mechem has a good and meritorious de-
fense to the claim sued on.



Subscribed and sworn to before me this 24 day of May, 1915.


Notary Public Mobile County, Ala.

State of Alabama,
Mobile County.

Personally appeared before me Edward Kramer a notary public in and for said state and county John^L Locke, who being by me duly sworn says that he is the brother-in-law of Lucile Mechem the defendant in the case of Miller vs Mechem. That on or about the 1st day of Sept 1914 the said Lucile Mechem went to Atlanta Georgia for a visit to relatives which said time was soon after her husband C.C. Mechem left her. That he has kept in touch with said defendant, and has never heard her state that she had been served or had knowledge of any suit pending against her.

Subscribed and sworn to before me this 24 day of May, 1915.

Edward Kramer
Notary public Mobile Co. Ala.

Grand Jury 24/215
P. W. B. C. C. C.
C. C. C.