

State of Alabama, Ex Rel,)	
Henry D. Moorner, as Deputy Solicitor)	CIRCUIT COURT,
of Baldwin County, Alabama,)	BALDWIN COUNTY,
vs.)	FALL TERM,
)	1916.
T. W. Richerson, individually and)	
as Clerk of the Circuit Court and Ex)	
Off. Clerk of the County Court of)	
Baldwin County, Alabama.)	

TO HON. A. E. GAMBLE, JUDGE OF THE SECOND JUDICIAL
CIRCUIT OF ALABAMA:

Your petitioner, Henry D. Moorner, respectfully represents and shows unto your Honor:

1.

That he is the Deputy Solicitor of Baldwin County, Alabama, and was duly and appointed as such Deputy Solicitor by the Solicitor of the Second Judicial Circuit of Alabama on, to-wit: The _____ day of August, 1916. and is now acting as such Deputy Solicitor.

2.

That T. W. Richerson is the Clerk of the Circuit Court of Baldwin County, Alabama, duly elected and Commissioned and acting, and is also Ex Off. Clerk of the County Court of Baldwin County, Alabama. and is now acting as such Ex Off. Clerk of the said County Court.

3.

That it is the duty of your petitioner to collect the Solicitor's fee tax against persons convicted in the said County Court of Baldwin County, Alabama.

4.

That the said T. W. Richerson as such Ex Off Clerk of the County Court of Baldwin County, Alabama has collected Solicitors fees taxed against defendants in the said County Court of Baldwin County, Alabama, amounting to the sum of _____ Dollars, the said Solic-

itors fees being the fees collected in the following cases, which said cases were prosecuted by your petitioner as the said Deputy Solicitor of Baldwin County, Alabama, viz:

State vs. Albert Pri or ^{or}	\$10.00
State vs. David Straughter	15.00
State vs. Walter Johnson	10.00
State vs. <i>Will Groomer et al</i>	10.00

5.

That your petitioner has demanded of the said T. W. Richerson that he pay over to him as such Deputy Solicitor for Baldwin County Alabama the said Solicitors fees so collected by him and the said T. W. Richerson has wholly failed and refused so to do.

PRAYER:

The premises considered, your petition respectfully prays that a rule nisi be issued directed to the said T. W. Richerson to appear on a day certain and show cause why a preemptory writ of Mandamus should not issued to him directing and requiring that he pay over to your petitioner the said Solicitors fees, and that on the final hearing of this cause that your Honor will make and enter an order and decree directing and requiring the said T. W. Richerson, as Clerk and etc. to pay over to your petitioner the said fees so collected by him.

That if your petitioner is mistaken in the relief above prayed for, that your Honor will grant unto him such other, further, different and general relief that in justice and equity he may be entitled to receive, he will ever pray, etc.

Henry D. Moor
Petitioner.

State of Alabama,
Conecuh County.

Before me, Edwin C. Page, a Notary Public in and for said County and State personally appeared Henry D. Moor, who being by me first duly and legally sworn, doth depose and say:

The allegations contained in the foregoing petition are true.

Sworn to and subscribed before me, this the 27th day of November, 1916.

Edwin C. Page
Notary Public.

UPON redaing the foregoing petition, it is ordered that Rule Nisi issue directed to the said T. W. Richardson, as Clerk of the Circuit Court and Ex Off, Clerk of the County Court of Baldwin County, Alabama, and individually, requiring that he appear at the Circuit Court of Baldwin County, Alabama, on Wednesday, the 29th day of November, 1916, then and there to show cause, if any he have, why the peremptory writ of Mandamus should not be issued as prayed for in the foregoing petition.

Dated, this the 27th day of November, 1916.

A. E. Gamber
Judge of the 2nd Judicial
Circuit of Alabama.

I hereby accept service of the foregoing petition and waive service of copy of the same by the Sheriff and waive the issuance of the said notice and consent and agreed that this matter may be heard on Wednesday, the 29th day of November, 1916.

Dated, this the 27th day of November, 1916.

T. W. Richardson
Clerk of the Circuit Court and Ex
Off Clerk of the County Court of
Baldwin County, Alabama, and indi-
vidually.

*11/29. Writ granted. Respondent ordered
to pay over to petitioner the fees men-
tioned in this petition.*

A. E. Gamber
Judge