

H. H. MONTGOMERY, SUPT. OF BANKS

IN THE CIRCUIT COURT

LIQUIDATING THE AFFAIRS OF

OF BALDWIN COUNTY.

THE BANK OF BAY MINETTE.

ALABAMA.

PLAINTIFF,

VS.

JOHN LANGHAM, et al.

Defendants.

Come the defendants and each of them and move the court to amend nunc pro tunc the judgment heretofore rendered in this cause by striking therefrom the provision and adjudication that the defendants, and each of them, waived their right of exemption as to personal property against the payment of said judgment, and for grounds for such motion the defendants assign the following:

1. The evidence does not support a finding that the defendants waived their exemption as to personal property.
2. The evidence showed that the defendants did not waive their exemption as to personal property.
3. The notes sued on contained no waiver of exemption by these defendants.

*Motion continued for thirty  
days from date when to be submitted  
for final decree  
this June 3/1921  
John W. Langham  
Judge*

Stone & Stone,  
Webb, McAlpine & Grove,  
Leon G. Brooks.  
Attorneys for Defendants.

Notice to:

Gordon & Edington,  
Charles Hall.  
Attorneys for Plaintiff.

Fixed  
June 3/92  
J. M. McCann  
Clerk

H. H. MONTGOMERY, SUPT. OF BANKS : IN THE CIRCUIT COURT  
 LIQUIDATING THE AFFAIRS OF : OF BALDWIN COUNTY,  
 THE BANK OF BAY MINETTE, : ALABAMA.  
 PLAINTIFF. :  
 VS. :  
 JOHN LANGHAM, et al. :  
 DEFENDANTS. :

Comes each defendant for himself and moves the court to set aside the judgment heretofore rendered in this cause and to grant a new trial and sets forth and assigns the following grounds therefor:

1. The verdict of the jury was contrary to law.
2. The verdict of the jury was contrary to the evidence.
3. The judgment is contrary to law.
4. The judgment is contrary to the evidence.
5. The court erred in sustaining the plaintiff's demurrers to defendants' pleas 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14.
6. The court erred in sustaining the plaintiff's demurrers to defendants' plea 4.
7. The court erred in sustaining the plaintiff's demurrers to defendants' plea 5.
8. The court erred in sustaining the plaintiff's demurrers to defendants' plea 6.
9. The court erred in sustaining the plaintiff's demurrers to defendants' plea 8.
10. The court erred in sustaining the plaintiff's demurrers to defendants' plea 12.

*Motion Continued for 30 days in order to allow time for file briefs - at which time motion is to be submitted for final decree.*  
*This June 3, 1921*  
*John W. Langham*  
*Judge*

Stone & Stone,  
 Webb, McAlpine & Grove,  
 Leon G. Brooks,  
 Attorneys for Defendants.

Notice to:  
 Gordon & Edington,  
 Charles Hall,  
 Attorneys for Plaintiff.

THE SECRETARY OF THE ARMY

WASHINGTON, D.C.

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W. H. McMillan  
W. H. McMillan  
W. H. McMillan

Comes the defendant and moves this Court to  
 set aside the verdict of conviction in this  
 case and grant them a new trial and  
 for grounds of said motion assigns the  
 following

1  
 That the Verdict was contrary to the law and  
 the evidence in the case

2  
 That the Verdict is contrary to the law of the case

3  
 That the Verdict is contrary to the evidence in  
 the case

4  
 That the Court erred in not sustaining the  
 objection of the defendant to the question propounded  
 by the state to witness Henry Hall asking said  
 witness if he saw defendant at the store, alleged to  
 have been in his possession prior to the time  
 at which the sheriff found a package said  
 store.

5-  
 That after jury when it brought in said Verdict  
 requested that the Court withdraw the array from the  
 Court to said defendant

6  
 That after the jury returned for consideration and being  
 out about 2 hours and being brought in  
 of an air at the suggestion of the Court, they stated  
 they had been unable to agree on a verdict  
 and one of the jury stated to the Court they desired  
 some instructions and the Court delivered to  
 breathe instruction thereon and left upon a matter  
 7 m.

8  
 That the Verdict was not the unanimous Verdict  
 of the jury. J. Jenkins, Clerk for  
 defendant