

STATE OF ALABAMA,  
COUNTY OF BALDWIN

CIRCUIT COURT, AT LAW

C. A. HENRY AND  
MARGUERITE HENRY,

Plaintiffs,

-vs-

L. M. BOYD,  
Defendant

Come the Plaintiffs and move the Court to retax the costs in this case because the taxation of the costs is excessive in the following particulars, upon each one of which separately, these Plaintiffs insist, to-wit:-

FIRST: Because the costs of, to-wit:- the following named witnesses subpoenaed by defendant, who were not examined, are taxed against these Plaintiffs, to-wit:

C. W. Green } *constitution of senior*  
A. N. Hayselden }  
Dr. John Stark  
Marion Dumas } *sanitary condition*  
Mrs. V. Christensen }  
David Gaar }  
C A Boller }  
G H Bulay } *sanitary condition*  
Selden Drietzler }  
A. H. Mueller } *sanitary condition*  
Irvin Knopp } *sanitary condition*  
Mrs. Ben Williams

SECOND: Plaintiffs are taxed with the issuance and the service of subpoenas to the above named witnesses who were not examined in the case.

THIRD: Plaintiffs are taxed with stenographer's fees, contrary to law.

The Clerk has erred in one or more of the foregoing particulars in the taxation of the costs in this case against these Plaintiffs.

Wherefore, this motion by Plaintiffs for retaxation of costs.

*R. P. H. H. H.*  
ATTORNEY FOR PLAINTIFFS.

*Filed Dec 7/1929*  
*Tommy*

*(over)*

Executed this Dec. 7, 1929  
by serving a copy of  
Within notice on W.C.  
Behe.

C. Drury  
Sheriff

Original  
C. Drury  
vs  
L. Boyd  
Motion to Dismiss Cause

Served Dec 7<sup>th</sup> 1929.  
D. W. Miller  
Clerk

Serve copy on  
W.C. Behe  
one of the  
accy's for Deft

The within motion concerning the Behe, and being argued to, understood and considered by the Court, it is ordered and adjudged by the Court that said motion be granted, and that cause be set aside as to the within C. W. Mueller, D. W. Green and R. W. Sharpless, the said within be the taxed against the defendant, it is ordered and adjudged that said motion be, and must hereby be, annulled in all other respects.  
This Feb. 22, 1930,

J. W. Hall  
Judge