

S T A T E

vs.

RAYMOND RESMONDA.

IN THE CIRCUIT COURT-LAW SIDE.

STATE OF ALABAMA.

BALDWIN COUNTY.

MOTION BY DEFENDANT TO RE-TAX COSTS.

Comes the Defendant, Raymond Resmonda, by Norborne Stone, as his Attorney of record, and shows unto the Court that this Defendant, who was convicted of Assault and Battery in this cause, stands charged with and there is taxed against him as a part of the costs of this cause Witness fees for the following witnesses summoned by and on behalf of the State as follows, viz.:

I. F. Lurwig,
Annie Lurwig,
Alice Lurwig,
A. P. Prentiss,
Neal Fell,
Charlie Hammock,
Russell Fell,
J. P. Casey,
Earl Diffin,
M. F. Villar,

\$ 28.00
\$ 28.00
\$ 26.00
\$ 5.00
\$ 28.00
\$ 28.00
\$ 27.50
\$ 21.00
\$ 19.50
\$ 26.00

That of the above witnesses only I. F. Lurwig, Annie Lurwig, Alice Lurwig and M. F. Villar were examined in the trial of said cause; that of the witnesses examined M. F. Villar and Alice Lurwig testified to facts already testified to by I. F. Lurwig and Annie Lurwig.

WHEREFORE, the Defendant respectfully moves the Court to re-tax the costs in this cause by striking or deducting therefrom the witness fees charged for all of said witnesses other than I. F. Lurwig and Annie Lurwig, and as grounds for said motion assigns, separately and severally, the following:

First: For that all of the facts testified to were included in and covered by the testimony of the witnesses, I. F. Lurwig and Annie Lurwig.

Second: For that of the above witnesses only I. F. Lurwig, Annie Lurwig, Alice Lurwig and M. F. Villar were examined.

Third: For that of the above witnesses, I. F. Lurwig, Annie Lurwig, Alice Lurwig, A. P. Prentiss, Neal Fell, Charlie Hammock, Russell Fell, J. P. Casey, Earl Diffin and M. F. Villar, none were examined other than I. F. Lurwig, Annie Lurwig, Alice Lurwig and M. F. Villar.

Robert H. H. H.
Attorney for Defendant.

5/2/30: This motion coming on to be heard it is ordered by the Court that said motion be sustained and the costs ordered retaped as prayed except as to the first three witnesses named in the motion -
J. W. Hare
Judge

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BALDWIN COUNTY.

Frederick

1-1930

W. H. Harrison
Deputy

LAW OFFICES
NORBORNE STONE
BAY MINETTE, ALABAMA