

3136

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ERNESTINE N. HARDY to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the complaint of Frances Sophia Kahalley, as Executrix of the Estate of George C. Kahalley, Deceased.

WITNESS my hand this 25th day of January, 1957.

Cliff J. Duck
Clerk.

C O M P L A I N T

FRANCES SOPHIA KAHALLEY,
As Executrix of the Estate
of George C. Kahalley,
Deceased,

Plaintiff,

vs.

ERNESTINE N. HARDY,

Defendant.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW.

COUNT ONE:

The Plaintiff claims of the Defendant Eleven Hundred and no/100 Dollars (\$1100.00) due by Promissory Note made by her on the 19th day of April, 1952, and payable six months from April 19, 1952, with interest thereon.

J. B. Blackburn
Attorney for Plaintiff.

Received 25 day of Jan 1957
and on 28 day of Jan 1957

I served a copy of the within a/c.
on Ernestine N. Hardy

By service on Ernestine N. Hardy

TAYLOR WILKINS, Sheriff
By W. A. Tolbert D. S.
omi

SUMMONS AND COMPLAINT

FRANCES SOPHIA KAHALLEY, as
Executrix of the Estate of
GEORGE C. KAHALLEY, Deceased,

Plaintiff,

vs.

ERNESTINE N. HARDY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW.

FILED
JAN 25 1957
ALABAMA

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

FRANCES SOPHIA KAHALLEY, as
Executrix of the Estate of
George Kahalley

Plaintiff

vs

ERNESTINE HARDY

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

Comes the defendant in the above styled cause and by leave of court first had and obtained files additional pleas as follows:

3. The defendant, for answer to plaintiff's complaint, says that she has paid the debt for the recovery of which this suit was brought before the action was commenced.

4. The defendant, for answer to plaintiff's complaint, says that the note, upon which this action is founded, is usurious and void for the interest thereon.

5. The defendant, as a defense to the action of the plaintiff, says that, at the time said action was commenced, the plaintiff was indebted to her in the sum of \$186.69 by account on to-wit: the 21st day of October, 1955, which sum of money, with interest thereon, is still unpaid and which she hereby offers to set off against the demands of the plaintiff and prays judgment for the excess.

6. The defendant, as a defense to the action of the plaintiff, says that, at the time said action was commenced, the plaintiff was indebted to her in the sum of \$186.69 for merchandise, goods and chattels sold by the defendant to the plaintiff on various and sundry dates after April 19, 1952 and before the 21st day of October, 1955, which sum of money with interest thereon is still unpaid and which she hereby offers to set off against the demands of the plaintiff and prays judgment for the excess.

Filed
9-3-58

BEEBE & SWEARINGEN

BY

W. C. Beebe
Attorneys for defendant

FRANCES SOPHIA KAHALLEY, as
Executrix of the estate of
George Kahalley

Plaintiff

vs

ERNESTINE HARDY

Defendant

In the Circuit Court of

Baldwin County, Alabama,

At Law

Comes the defendant in the above styled cause and answering
plaintiff's complaint says:

1. The matters therein alleged are untrue.
2. That she has paid the note and debt sued on.

Beebe & Swearingen

By W. Beebe
Attorneys for defendant

Defendant demands a trial by jury.

Beebe & Swearingen

By W. Beebe
Attorneys for defendant

Filed
2-25-53

Kanally vs. Hardy
 JURY LIST, SPRING TERM, MARCH 14, 1960

- ~~1. Pollard, Louis, Laborer, Foley~~
- ~~2. Head, Perry M., Farmer, Stapleton~~
- ~~3. Helms, Kenneth B., Civil Service, Elberta~~
- ~~4. Helms, John R., Civil Service, Elberta~~
- ~~5. King, Orphens N., Jr., Clerk, Bay Minette~~
- ~~6. Hinz, Donald, Civil Service, Elberta~~
- ~~7. Hughes, Wayne, Motel Owner, Fairhope~~
8. Bishop, Earnest E., Meat Packer, Fairhope
- ~~9. Cooper, M.C., Carpenter, Robertsdale~~
10. Cooper, Ted W., Livestock Dealer, Robertsdale
- ~~11. Corte, Ferdinand A., Farmer, Luxley~~
- ~~12. Gipson, Leon Fisher, Mechanic, Bay Minette~~
- ~~13. Harrison, John, Laborer, Summerdale~~
- ~~14. Parker, Joe G., Farmer, Bon Secour~~
15. Camble, I. Jack, Salesman, Bay Minette
- ~~16. Gantt, Ralph F., Farmer, Little River~~
- ~~17. Peavy, Richard V., Building Sup't., Foley~~
18. Pilgrim, A.L., Farmer, Elberta
19. Pilgrim, H.E., Farmer, Elberta
20. Pilgrim, Joseph A., Jr., Farmer, Elberta
21. Reedy, M.J., Postal Clerk, Bay Minette
- ~~22. Blunt, Hugh Paul, Brookley Field, Bay Minette~~
- ~~23. Boone, W.A., Farmer, Little River~~
- ~~24. Bryant, Julius Lee, Farmer, Stockton~~
- ~~25. Chestang, Polham D., Brookley Field, Bay Minette~~
26. Childress, Calvin, Farmer, Summerdale
- ~~27. Childress, Hobson, Farmer, Silverhill~~
- ~~28. Chestain, Charles, Farmer, Bay Minette~~
- ~~29. Cleverdon, Paul L., Farmer, Summerdale~~
- ~~30. Andress, Herbert E., Farmer, Foley~~
- ~~31. Armstrong, William, Civil Service, Elberta~~
- ~~32. Williams, Bryant, Farmer, Fairhope~~
33. Wenzel, Emmett O., Merchant, Gulf Shores
- ~~34. Walters, Thomas W., Farmer, Bon Secour~~
- ~~35. Craft, Ervin P., Plumber, Daphne~~
- ~~36. Snell, Calvin, Creamery, Fairhope~~
- ~~37. Dean, David E., Farmer, Lottie~~
- ~~38. Fell, Walter, Mechanic, Bon Secour~~
- ~~39. Flowers, Albert T., Farmer, Gulf Shores~~
- ~~40. Ford, W.B., Jr., Type Setter, Foley~~
- ~~41. Laflam, Laurence F., Machinist, Foley~~
- ~~42. Lazzari, Angelo, Farmer, Belforest~~
43. Lazzari, Joe, Farmer, Daphne
- ~~44. Graham, James R., Laborer, Bay Minette~~
- ~~45. Graham, John C., Brookley Field, Bay Minette~~
46. Grimes, Roy E., Newport, Bay Minette
47. Gullledge, William, Farmer, Robertsdale
- ~~48. Gwaltney, John I., Farmer, Robertsdale~~

Handwritten notes and markings:
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THE STATE OF ALABAMA

Baldwin

County

Left 4/21

COURT OF PROBATE

The will of George C. Kahalley, deceased.

having been duly admitted to record in said County, letters testamentary are hereby granted to _____

Frances Sophie Kahalley, the executrix named in said will, who has complied with

the requisitions of the law, and is authorized to take upon herself the execution of said will.

Witness my hand, and dated this 9th day of November, 1955.

STATE OF ALABAMA, BALDWIN COUNTY

Recorded Pro & Misc book 7 page 379

W. R. Stuart
Judge of Probate

W. R. Stuart
Judge of Probate

I, Alice J. Duck, Register in Equity, Baldwin County, Alabama do hereby certify that the foregoing is a correct copy of LETTERS TESTAMENTARY and same is on file in my office.

Witness my hand and seal of this court this 11 day of March 1960.

Alice J. Duck
Register in Equity

