

3405

REIMER COMPANY, INC.,

A Corporation,

Plaintiff,

vs.

C. M. NORTHCUTT

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW. No. 3450

ANSWER TO MOTION FOR REHEARING

Comes plaintiff and to motion for rehearing filed by  
defendant says:

The plaintiff denies each and every allegation made in said  
motion.

*Wm. C. Smith*  
Attorney for Plaintiff

*Filed 4/3/59*

RIEMERS COMPANY, INC.,  
A Corporation,

Plaintiff,

vs.

C. M. NORTHCUTT

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

No. 3405

Demurrer to Motion for Rehearing:

Comes plaintiff and to motion for rehearing filed by  
defendant says:

1. That motion does not state a cause for a rehearing  
because it fails to set out in detail as to what failure of con-  
sideration consisted of.

2. That the allegation that defendant has a meritorious  
defense is a mere conclusion of defendant.

*Filed 6/3/59*

*James C. Northcutt*  
\_\_\_\_\_  
Attorney for Plaintiff

NOTICE TO DEFENDANT

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

RIEMERS COMPANY, INC., )  
a Corporation, )  
 )  
PLAINTIFF )  
 )  
C. M. NORTHCUTT, )  
 )  
DEFENDANT )  
 )  
M. C. GIULIANI, doing business )  
as LOXLEY FARM PRODUCTS CO., )  
 )  
GARNISHEE )

THE STATE OF ALABAMA

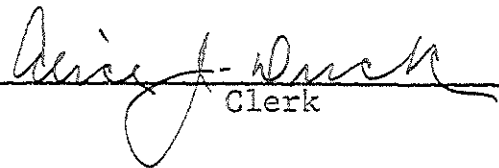
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to notify C. M. NORTHCUTT that on the  
25 day of November, 1957, a writ of garnishment in the above  
stated case was issued to M. C. GIULIANI, doing business as LOXLEY  
FARM PRODUCTS CO., as garnishee

And you will return this writ according to law.

Witness my hand this the 25 day of November, 1957.

  
Clerk

BOND-PENDING SUIT

THE STATE OF ALABAMA, )

BALDWIN COUNTY. )

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, are held and firmly bound unto C. M. NORTHCUTT in the sum of ONE THOUSAND SEVEN HUNDRED FIFTY & 44/100 DOLLARS (\$1,750.44) to be paid to the said C. M. NORTHCUTT, his heirs, executors, administrators or assigns; for which payment, well and truly to be made, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly, severally, and firmly by these presents.

Sealed with our seals, and dated this \_\_\_\_\_ day of November, 1957.

The condition of the above obligation is such that, whereas the above bound RIEMERS COMPANY, INC., a corporation, has commenced suit in the Circuit Court of Baldwin County, by summons and complaint in said Circuit Court of Baldwin County, to recover of said C. M. NORTHCUTT the sum of EIGHT HUNDRED SEVENTY FIVE & 22/100 DOLLARS (\$875.22) and has, on the day of the date hereof, prayed that writ of garnishment issue to M. C. GIULIANI, doing business as LOXLEY FARM PRODUCTS CO., to answer on oath whether at the time of the service of the said writ of garnishment or at the time of making his answer he has in his possession, or under his control any money or effects belonging to the defendant, and whether he is indebted to said defendant, or is liable to him on any contract for the payment of money or the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and said plaintiff having made affidavit as required by law in such cases and by entering into this bond, has obtained the same, returnable to the Circuit Court of Baldwin County.


Now, if the said plaintiff shall prosecute the garnishment to effect, and pay the defendant all such costs and damages as he may sustain by reason of the wrongful or vexatious suing out of this garnishment, then this obligation to be void, otherwise to remain in full force and effect.

RIEMERS COMPANY, INC.

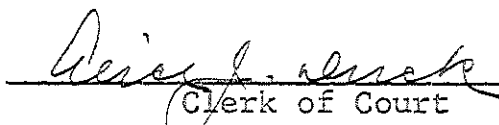
BY:

 (SEAL)  
William H. Riemer, President

 (SEAL)  
William H. Riemer, Individually

 (SEAL)  
R. C. Harding

Approved this the 25 day of November, 1957.

  
Clerk of Court

RIEMERS COMPANY, INC.,  
A Corporation,

Plaintiff

VS:

C. M. NORTHCUTT,

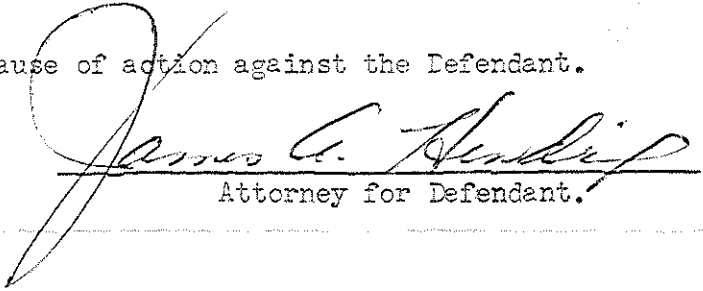
Defendant.

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

DEMURERS

Comes now the defendant in the above styled cause and demurs to the complaint, and separately and severally to each count thereof, and for grounds of demurer, assigns, separately and severally the following:

1. Said Count states no cause of action against the Defendant.

  
Attorney for Defendant.

DECEMBER 10, 1959

THE STATE OF ALABAMA - - - - - JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

OCTOBER TERM 1959=60

1 DIV. 852

Riemers Company, Incorporated,  
a Corporation,

vs.

C. M. Northcutt,  
Baldwin Circuit Court,  
No.=3405

Come the parties by Attorneys, and appellee's motion to dismiss the appeal on the ground that the order appealed from is not a final judgment which will support an appeal, and the record and matters therein assigned for errors, being submitted on briefs and duly examined and understood by the Court,

IT IS CONSIDERED that appellee's motion to dismiss the appeal is well taken and that the appeal should be dismissed.

IT IS THEREFORE CONSIDERED, ORDERED, AND ADJUDGED that the appeal be and is hereby dismissed.

IT IS FURTHER CONSIDERED, ORDERED, AND ADJUDGED that the appellant, Riemers Company, Incorporated, a Corporation,

STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

OCTOBER TERM 1959=60

1st Div., No. 852

RIEMERS COMPANY, INCORPORATE  
A CORPORATION,

, Appellant.,

v.

C. M. NORTHCUTT

, Appellee.,

From BALDWIN CIRCUIT Court.  
NO. 3405

The State of Alabama.

City and County of Montgomery. }

I, J. Render Thomas, Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing pages numbered from one to t w o inclusive, contain a full, true, and correct copy of the ORDER AND JUDGMENT GRANTING APPELLEE'S MOTION TO DISMISS THE APPEAL AND DISMISSING THE APPEAL, MADE AND ENTERED BY said Supreme Court in the above stated cause, as the same appears and remains of record and on file in this office.

Witness, J. Render Thomas, Clerk of the Supreme

Court of Alabama, this the 10th day of

DECEMBER 19 59.

*J. Render Thomas*

Clerk of the Supreme Court of Alabama

DEC 10 1959

THE STATE OF ALABAMA - - - - - JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

OCTOBER TERM, 1959-60

1 Div. 852

Rieners Company, Inc.

v.

C. M. Northcutt

Appeal from Baldwin Circuit Court

COLEMAN, JUSTICE.

Plaintiff filed suit on promissory note and defendant filed demurrer which was overruled on February 18, 1958. Defendant filed no further pleading and judgment was rendered against him on January 20, 1959. On May 15, 1959, defendant filed motion for rehearing under the four months' statute,



Title 7, § 279, Code 1940. The motion for rehearing was granted by order entered June 16, 1959, and from that order plaintiff has taken the instant appeal. Appellee (defendant) moves to dismiss the appeal on the ground that the order appealed from is not a final judgment which will support an appeal.

Appellee's motion is well taken.

"The appeal in this case is from the judgment of the circuit court granting the defendant's motion for a rehearing under what is generally known as the four months' statute. Code of 1923, § 9521.

"It is the settled rule of our decisions that this judgment will not support an appeal. The insufficiency of the judgment to support an appeal is jurisdictional, and the court will ex mero motu dismiss the appeal. *Ingram, Probate Judge, v. Alabama Power Co.*, 201 Ala. 13, 75 So. 304; *Ex parte North*, 49 Ala. 385." *Renietos v. Fearless Laundry Corporation*, 219 Ala. 157, 121 So. 530.

See also: *O'Neal v. Kelly*, 72 Ala. 559; *Brazel v. New South Coal Co.*, 131 Ala. 416, 30 So. 832; *Bean v. Harrison*, 213 Ala. 33, 104 So. 244; *Burger-Phillips Co. v. Phillips*, 234 Ala. 563, 176 So. 181; *Ex parte New Home Sewing Machine Co.*, 238 Ala. 159, 189 So. 874.

APPEAL DISMISSED.

Lawson, Stakely, Goodwyn, and Merrill, JJ., concur.

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

1st Div., No. 852,

RIEMERS COMPANY, INCORPORATED, Appellant

vs.

C. M. NORTHCUTT, Appellee,

From BALDWIN Circuit Court.

The State of Alabama,  
City and County of Montgomery, }

I, J. Render Thomas, Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing pages, numbered from one to TWO inclusive, contain a full, true and correct copy of the opinion of said Supreme Court in the above stated cause, as the same appears and remains of record and on file in this office.

Witness, J. Render Thomas, Clerk of the Supreme  
Court of Alabama, this the 10th day of

DECEMBER, 19 59

J. Render Thomas  
Clerk of the Supreme Court of Alabama

and on 10 day of Nov 1957  
a copy of the within s/c.  
n ~~C. M. Northcutt~~  
C. M. Northcutt  
y service on

3405

TAYLOR WILKINS, Sheriff  
By Edligh Steadham D. S.

Rosinton, Ala

Sheriff claims 52 miles at  
Ten Cents per mile Total \$5.20  
TAYLOR WILKINS, Sheriff  
BY Edligh Steadham  
DEPUTY SHERIFF

SUMMONS AND COMPLAINT

RIEMERS COMPANY, INC., A  
CORPORATION

PLAINTIFF

VS:

C. M. NORTHCUTT,

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

FILED  
NOV 25 1957

ALICE I. ROCK, Clerk

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

May 10, 1960

Mrs. Alice J. Duck  
Clerk of Court  
Bay Minette, Alabama

Re: Riemers Company, Inc.  
vs: C. M. Northcutt  
Case No. 3445

Dear Mrs. Duck:

In the March term of jury court it is my understanding that a judgment for \$400.00 was entered in this case. Would you please see if this is true and if so, please send me a Certificate of Judgment so I may record it in the Probate Office.

With best wishes, I am

Cordially yours,

  
FOREST A. CHRISTIAN

Div. No. \_\_\_\_\_

CERTIFICATE OF APPEAL. (Civil Cases,)

No. 3405

Baldwin County, Circuit Court.

RIEMERS COMPANY, INC. A CORP.

Plaintiff.

vs.

C.M. NORTHCUTT

Defendant.

I, Alice J. Duck Clerk of Baldwin Circuit Court,  
of Baldwin County, Alabama, hereby certify that in the  
cause of RIEMERS COMPANY, INC. A CORP. plaintiff  
vs.

C.M. NORTHCUTT defendant,  
which was tried and determined in this Court on the XEROX 16th day of  
June 1959, in which there was a judgment for \_\_\_\_\_  
Dollars, in favor of the plaintiff, (or judgment  
for defendant,) the Plaintiff on the 30 day of  
June 1959, took an appeal to the Supreme Court  
of Alabama to be holden of and for said State.

I further certify that RIEMERS COMPANY, INC. A CORP.  
filed security for cost of appeal, to the SUPREME Court, on  
the 30 day of June 1959, and that RIEMERS COMPANY, INC. A  
CORPORATION, BY: Mrs. W.M. Riemer,  
are sureties on the appeal bond.

I further certify that notice of the said appeal was on the 2nd  
day of June 1959, served on James R. Rieman  
as attorney of record for said appellee, and that the amount sued for  
was \_\_\_\_\_ Dollars. (Or certain lands)  
(Or personal property.)

Witness my hand and the seal of this Court, this the 20  
day of June 1959.

Alice J. Duck  
Clerk of the Circuit Court of  
Baldwin County, Alabama.

RIEMERS COMPANY, INC.	X		
A Corporation,			
Plaintiff,	X	IN THE CIRCUIT COURT OF	
Vs.	X	BALDWIN COUNTY, ALABAMA	
C.M. NORTHCUTT,	X	AT LAW.	No. 3405
Defendant.	X		

SECURITY FOR COSTS

The RIEMERS COMPANY, INC. appeal from the adverse ruling of the Circuit Court of Baldwin County, Alabama on June 18, 1959 wherein the Court granted a new trial to the defendant, C.M. NORTHCUTT.

The undersigned acknowledges itself security for costs of said appeal.

This 30th day of June, 1959.

RIEMERS COMPANY, INC.  
BY:

Mrs. W. H. Riemer  
Mrs. W. H. Riemer

Approved 30th day of June, 1959.

Becky Rusk  
Clerk

THE STATE OF ALABAMA, )

BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon JAMES R. OWEN, attorney of record for C. M. NORTHCUTT, defendant, to appear at the next term of said Supreme Court of said State, then and there defended an appeal which RIEMERS COMPANY, INC. has this day sued out, returnable to said Court to reverse a ruling in favor of the said C. M. NORTHCUTT on the 3rd day of June, 1959 in Circuit Court of Baldwin County, Alabama and make immediate return of this writ, etc.

Witness my hand and seal this 30th day of June, 1959.

Alice J. Duck, Clerk

\*\*\*\*\*

NOTICE OF APPEAL

RIEMERS COMPANY, INC.,	X	IN THE CIRCUIT COURT OF
A Corporation,		
Plaintiff,	X	BALDWIN COUNTY, ALABAMA
Vs.	X	AT LAW. No. 3405
G. M. NORTHCUTT,	X	
Defendant	X	

Comes the plaintiff in the above styled cause and gives notice of appeal from adverse ruling of the Circuit Court rendered on the 13rd day of June, 1959 to the Supreme Court of Alabama.

James R. Owen  
Attorney for Plaintiff

WRIT - PENDING SUIT

THE STATE OF ALABAMA, )

BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

Whereas, RIEMERS COMPANY, INC., a corporation, plaintiff, has commenced suit by summons and complaint returnable to the present Term of the Circuit Court of Baldwin County, against C. M. NORTHCUTT for the sum of EIGHT HUNDRED SEVENTY FIVE & 22/100 DOLLARS (\$875.22); and whereas, WILLIAM H. RIEMER has made affidavit, as required by law, that the said defendant is indebted to RIEMERS COMPANY, INC., in the sum of EIGHT HUNDRED SEVENTY FIVE & 22/100 DOLLARS (\$875.22); that M. C. GIULIANI, doing business as LOXLEY FARM PRODUCTS CO., is supposed to be indebted to said defendant, or has effects of said defendant in his possession or under his control, and that he believes that process of garnishment against the said M. C. GIULIANI, doing business as LOXLEY FARM PRODUCTS CO., is necessary to obtain satisfaction of said claim, and has given bond as required by law.

These are therefore to command you, that you summon the said M. C. GIULIANI, doing business as LOXLEY FARM PRODUCTS CO., to be and appear at the present Term of the Circuit Court of Baldwin County, within thirty days from the service of this writ, then and there to answer on oath, whether at the time of the service of this writ of garnishment, or at the time of making his answer, he has in his possession or under his control, any money or effects belonging to the defendant; and whether he is indebted to said defendant or is liable to him on any contract for the payment of money or the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

Witness Alice J. Duck, Clerk of said Court at office this the 25 day of November, 1957.

*Alice J. Duck*  
Clerk

FILED  
NOV 28 1957  
BALDWIN COUNTY, ALA.



F. A. CHRISTIAN  
FOLEY, ALA.

October 25, 1958

Mr. James A. Hendrix  
Attorney at Law  
Robertsdale, Alabama

Re: Riemers Company  
vs: C. M. Northcutt  
Case No. 3405

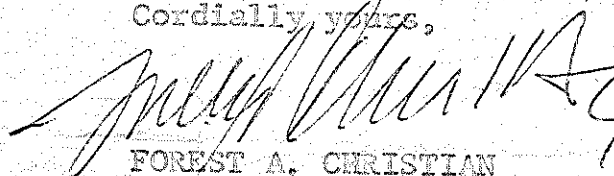
Dear Jim:

This case was filed on November 25, 1957 and served on December 10, 1957. On pleading day, October 21st, Judge Hall stated that he would enter judgment by default during November pleading day, unless action was taken by you.

I am having Mrs. Duck mail this to you so that she can verify that I gave you notice of this.

With best wishes, I am,

Cordially yours,



FOREST A. CHRISTIAN

AFFIDAVIT OF GARNISHMENT IN AID OF PENDING SUIT

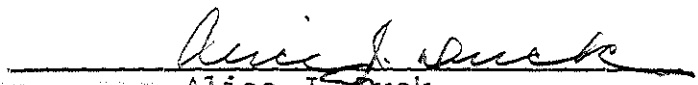
THE STATE OF ALABAMA, )

BALDWIN COUNTY. )

Personally appeared before me, ALICE J. DUCK, Clerk of the Circuit Court of Baldwin County, WILLIAM H. RIEMER, president of RIEMERS COMPANY, INC., a corporation, a credible person, who being sworn, deposeth and saith that C. M. NORTHCUTT is indebted to RIEMERS COMPANY, INC., in the sum of EIGHT HUNDRED SEVENTY FIVE & 22/100 DOLLARS (\$875.22), that it has commenced suit by summons and complaint in said Circuit Court of Baldwin County, against C. M. NORTHCUTT, and that he believes the process of garnishment against M. C. GIULIANI, doing business as LOXLEY FARM PRODUCTS CO., is necessary to obtain satisfaction of said claim, and that said M. C. GIULIANI, doing business as LOXLEY FARM PRODUCTS CO., has or is believed to have, in his possession or under his control, money or effects belonging to the defendant, or that he is or is believed to be indebted to the defendant or to be liable to him on a contract for the delivery of personal property, or which is payable in personal property.

  
William H. Riemer

Sworn to and subscribed before me,  
this the 25 day of November, 1957.

  
Alice J. Duck,  
Clerk of Court, Baldwin County, Ala.

WRIT - PENDING SUIT

THE STATE OF ALABAMA, )


BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

Whereas, RIEMERS COMPANY, INC., a corporation, plaintiff, has commenced suit by summons and complaint returnable to the present Term of the Circuit Court of Baldwin County, against C. M. NORTHCUTT for the sum of EIGHT HUNDRED SEVENTY FIVE & 22/100 DOLLARS (\$875.22); and whereas, WILLIAM H. RIEMER has made affidavit, as required by law, that the said defendant is indebted to RIEMERS COMPANY, INC., in the sum of EIGHT HUNDRED SEVENTY FIVE & 22/100 DOLLARS (\$875.22); that M. C. GIULIANI, doing business as LOXLEY FARM PRODUCTS CO., is supposed to be indebted to said defendant, or has effects of said defendant in his possession or under his control, and that he believes that process of garnishment against the said M. C. GIULIANI, doing business as LOXLEY FARM PRODUCTS CO., is necessary to obtain satisfaction of said claim, and has given bond as required by law.

These are therefore to command you, that you summon the said M. C. GIULIANI, doing business as LOXLEY FARM PRODUCTS CO., to be and appear at the present Term of the Circuit Court of Baldwin County, within thirty days from the service of this writ, then and there to answer on oath, whether at the time of the service of this writ of garnishment, or at the time of making his answer, he has in his possession or under his control, any money or effects belonging to the defendant; and whether he is indebted to said defendant or is liable to him on any contract for the payment of money or the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

Witness Alice J. Duck, Clerk of said Court at office this the 25 day of November, 1957.

  
Clerk

4 3405- ✓

Primers Co. Inc.  
a corp

vs.

C. M. Northcutt  
m.c. Gulliani  
Garnishee

Received 25 day of Apr 1957  
and on 25 day of May 1957

I served a copy of the within sub  
on M. C. Gulliani

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By Allyn Stedman D. S.

Loxley Ala.

Sheriff claims 40 miles at  
Ten Cents per mile Total \$ 4.00

TAYLOR WILKINS, Sheriff  
BY Allyn Stedman  
DEPUTY SHERIFF

FILED

NOV 25 1957

ALICE J. DUCK, clerk  
Register

RIEMERS COMPANY, INC.,  
A Corporation,

Plaintiff,

vs.

C. M. NORTHCUTT,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

No. 3405.

MOTION FOR REHEARING:

Your Petitioner, C. M. Northcutt, who is the defendant in the above styled cause, respectfully shows unto this Court and your Honor as follows:

1. The Plaintiff, on to-wit, November 25, 1957, filed a summons and complaint in this cause which was duly served on the defendant on December 10, 1957. On to-wit, December 30, 1957, defendant caused demurrer to be filed to said complaint by and through his attorney, which said demurrer was overruled on February 18, 1958.

Petitioner's attorney did not file any further pleadings in this cause and on to-wit, January 20, 1959, this Court entered a judgment for the Plaintiff in the above styled cause which judgment reads as follows: "Judgment for Plaintiff and against defendant, C. M. Northcutt on promissory waive note \$825.20."

Petitioner avers that on the said date, January 20, 1959, Petitioner's attorney was not practicing law in the State of Alabama and Petitioner did not have an attorney representing him at the time the said judgment was made and entered, through no fault of Petitioner.

3. Petitioner further avers that he has a meritorious defense to said cause of action, to-wit, the note on which the said suit is founded was given to the Plaintiff by the Defendant without sufficient consideration on the part of the plaintiff.

4. Petitioner further avers that the said judgment was entered against him without any notice or knowledge on his part; that he was not represented by an attorney and was prevented from

making his defense by surprise, accident or mistake without fault on his part.

WHEREFORE, Petitioner prays the Court to give notice of the filing of this petition and give the Plaintiff's Attorney ten days notice of the time when and place where this petition will be heard and that upon a hearing hereof that this court will make and enter an order setting aside the judgment rendered in this cause on January 20, 1959, and setting a date for a trial of said cause.

*A. W. Matthews*  
Petitioner.

Sworn to and subscribed before me  
on this the 14th day of May, 1959.

*Filed May 15, 1959*  
*Alice J. Luck, clerk*  
*Exp. May 20, 1959*  
*on Bilmer's Co.*

*A. K. Latimer J.P.*  
Notary Public, Baldwin County, Alabama.

\*\*\*\*\*

ORDER:

This Petition having been filed on this date, it is hereby ordered that the said petition be set for hearing on May 15th, 1959, at 10:00 o'clock A. M. in my office at the Court house in Bay Minette, Alabama.

It is further ordered that the Sheriff of Baldwin County, Alabama, forthwith give notice of said hearing and the filing of this petition to F. A. Christian, Attorney at Law, Foley, Alabama, by service hereof.

ORDERED, ADJUDGED AND DECREED on this the 10th day of May, 1959.

*Hubert M. Moore*  
Judge.

THE STATE OF ALABAMA }  
Baldwin County - Circuit Court }

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

Whereas, at a Term of the Circuit Court of Baldwin County, held on the

June 16, 1959

~~Monday~~

~~1958~~

in a certain cause in said Court wherein RIEMERS COMPANY, INC. A CORPORATION,

Plaintiff, and C.M. NORTHCUTT

Defendant, a judgement was rendered against said Inc.

Riemers Company, /a corp.

to reverse which Judgment, the said

RIEMERS COMPANY, INC. A CORP.

applied for and obtained from this office an APPEAL, returnable to the Next

Term of our Supreme Court of the State of Alabama, to be held at Montgomery,

on the \_\_\_\_\_ day of \_\_\_\_\_, 195\_\_\_\_ next, and the necessary bond

having been given by the said Riemers Company, Inc. a corp.

~~work~~ by: Mrs. W.M. Riemers, sureties,

Now, You Are Hereby Commanded, without delay, to cite the said

C.M. Northcutt or James R. Owen

\_\_\_\_\_, attorney, to appear at the Next Term of our

said Supreme Court, to defend against the said Appeal, if they think proper.

Witness, ALICE J. DUCK, Clerk of the Circuit Court of said County, this 30

day of June, A. D., 1959

Attest:

Alice J. Duck Clerk.