

HERBERT AARON,)	IN THE ^{CIRCUIT} COUNTY COURT OF
Plaintiff,)	BALDWIN COUNTY,
Versus)	ALABAMA,
LLOYD McCREARY,)	
Defendant.)	NO. <u>4443</u>

Plaintiff claims of the Defendant the sum of Two Hundred and NO/100 Dollars (\$200.00) for that on to-wit the 11th day of February, 1959, the Defendant agreed to sell to the Plaintiff a parcel of property and did receive from the Plaintiff the sum of Two Hundred and NO/100 Dollars (\$200.00) as earnest money, said sale to be dependant upon the Defendant being able to deliver a good and merchantable title to the property being sold by the Defendant to the Plaintiff, and in the event the title be not good and merchantable, that the Defendant would return the Two Hundred and NO/100 Dollars (\$200.00) to the Plaintiff, and the Plaintiff further alleges that the Defendant notified him that the title was not clear and that he would return the said Two Hundred and NO/100 Dollars (\$200.00) which the Defendant has failed to do, and the Plaintiff further alleges that the said Two Hundred and NO/100 Dollars (\$200.00), with the interest thereon from to-wit the 11th day of February, 1959, is still due and unpaid.

FILED

OCT 8 1960

ALICE J. DICK, CLERK
REGISTER

Sydney S. Fieger
Sydney S. Fieger, Attorney for Plaintiff
305 Staples-Pake Building
Mobile, Alabama

Defendant's address:

Daphne, Alabama

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No.

..... TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon Lloyd McCreary

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Lloyd McCreary

....., Defendant.....

Herbert Aaron

by

....., Plaintiff.....

Witness my hand this 8th day of October 19 50

W. J. ..., Clerk

STATE of ALABAMA**Baldwin County****CIRCUIT COURT**

HERBERT AARON

Plaintiffs

vs.

LLOYD McCREARY

Defendants

Summons and Complaint

Filed 10-8 19 60

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

, 19

Sheriff.

I have executed this summons

this 18 Oct 19 60

by leaving a copy with

Lloyd McCreary

Sheriff claims 54 miles at

Ten-Cents per mile Total \$ 5.40

TAYLOR WILKINS, Sheriff

BY Deputy Sheriff

Taylor Wilkins
W. O. Barnes
Deputy Sheriff.

Daphne

HERBERT AARON,

Plaintiff,

VS

LLOYD McCREARY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
CASE NO. 4443

DEMURRERS

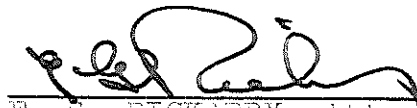
Comes the Defendant in the above styled cause and offers the following separate and several demurrers to the Plaintiff's Complaint:

1. Said Complaint is vague, indefinite and uncertain in that it does not set out the time of the promise of the obligation for failure on the part of the Defendant.

2. Said Complaint is an action on an agreement involving real estate and does not show that the real estate is in Baldwin County, Alabama.

3. Because said Complaint shows that this is an action on an agreement for the sale of lands but does not show that the agreement to be in writing.

4. Because the caption of the Complaint does not show it to be brought before this Honorable Court.



E. G. RICKARBY, Attorney for the Defendant

This defendant demands a trial by jury.

FILED

NOV 10 1960

ALICE I. DUCK, CLERK
REGISTER



E. G. RICKARBY, Attorney for the Defendant

PFLEGER & HILLARD

ATTORNEYS AT LAW
305 STAPLES-PAKE BUILDING
MOBILE, ALABAMA

ASSOCIATES:
SYDNEY S. PFLEGER
GROVES C. HILLARD

October 7, 1960

PHONE:
HE 8-4748

Mrs. Alice Duck, Clerk
Baldwin County Court House
Bay Minette, Alabama

Dear Mrs. Duck:

Please file the enclosed suit, styled Herbert Aaron versus
Lloyd McCreary, and let me know when it will be set on the Court
docket.

Very truly yours,



Sydney S. Pflieger

SS⁺/mfh

Enclosures: 2