

State of Alabama, }

Baldwin County

Before me,

J. W. McPherson Clerk Circuit Court

in and for said county, personally appeared Arthur Schwarz, who being by me first duly sworn, deposes and says, that he is a bona fide - resident of said state, residing near Loxley, Alabama, in said county, and as such resident is entitled to and hereby selects, claims and sets apart the following described property and choses in action as exempt to him from garnishment, levy and sale under execution or other process instituted for the collection of debts under the constitution and statutory laws of said state, viz: one Ford Automobile No 343621, now located at Robertsdale, Alabama at present in the barn of A. J. Aubert, valued at \$150; and one note due by Dan Durden for \$75.

Affiant avers that the foregoing list of property and choses in action claimed by him is a full, complete and correct schedule of all personal property owned by him together with the value of the items thereof and that the same is situated at Robertsdale, Alabama in said county and which do not exceed in value one thousand dollars and affiant especially claims the foregoing property as exempt to him in the case of H. E. Fuller vs Affiant in the Justice of Peace court of A. J. Aubert and which is now pending in circuit court of said county on appeal from said Justice of Peace court. And affiant avers that the debt upon which said suit was brought was contracted after April 23rd, 1873

Arthur Schwarz

Sworn to and subscribed before me on this 21st day of November, 1917.

J. W. McPherson

Clerk Circuit Court

ROBERTSDALE, ALA.,  
STATEMENT OR - TRANSCRIPT.

Statement of the case of H. E. Fuller. Vs Arther. &  
schwarz. appealed from Justict Court of A.J. Aubert, to  
Circut Court of Baldwin County,

Parties  
H.E. Fuller  
Vs  
A. Schwarz.

Cause of Action  
Open Account.  
\$ 100.00

Nov 12th Attachment Writ issued returnible Nov 17th 1917.

Nov. 12th Attachment Writ returned executed by A.J. Aubert.  
J.P.

Nov 20th. Judgment against Defendent. for \$ 100.00 dollars  
and costs of court,

Nov 17th Appeal Bond approved and filed.

Nov 19 th Notice of appbal to H.E. Fuller Issued.

Bill Of Costs.

|                           |         |
|---------------------------|---------|
| Attachment Writ           | 50.     |
| " Bond and Affidavit      | \$ 150. |
| Appeal Bond               | 100.    |
| Adminstering oath         | 25.     |
| Docketing cause           | 10.     |
| Judgment on proceedings   | 75.     |
| Transcript of Proceedings | 50.     |
| Attending trial           | 1.00    |

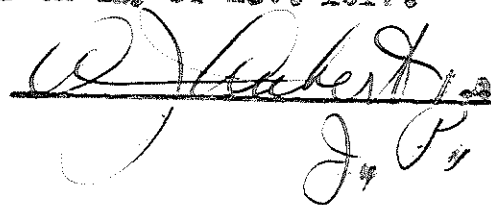
Constable fees

Levying attachment \$ 1.00

-----  
\$ 6.60.

I hereby certify that the foregoing is a true and correct  
statement of the case of H.E. Fuller Vs Arther Schwarz  
and the Judgment rendered by me therein. I herewith transmit  
all the papers in said case.

Witness my hand this 19th day of Nov. 1917.

  
J. P.

The State of Alabama }  
Baldwin County }

To the Sheriff or Any Constable of Said County, Greeting:

Whereas, H. C. Fuller  
hath complained to me, A. J. Aubert a Justice of the Peace in and for  
said County, that Arthur Schwarz  
is justly indebted to H. C. Fuller  
in the sum of One Hundred and no 100 DOLLARS.

and the said H. C. Fuller  
having made affidavit and given bond as required by law in such cases; You are Hereby Commanded, to  
attach so much of the goods, furniture and effects of said Arthur Schwarz  
as will be of value to satisfy said debt and costs, according to the Complaint, and such estate unless re-  
plevied, so to secure that the same may be liable to further proceeding thereon, to be had before me on  
the 17<sup>th</sup> day of Nov 3 P. M., 1917, when and where you must make known how you  
have executed this writ.

Witness my hand, this the 12<sup>th</sup> day of November, 1917.

A. J. Aubert

J. P.

Original  
2nd

Docket No.

No. Page

The State of Alabama  
Baldwin County

Justice Court of

W. J. Herbert  
Nov 17<sup>th</sup> 3 P. M. Term, 1917

ATTACHMENT WRIT

H. B. Fuller

Plaintiff

vs.

Arthur Schwarz

Defendant

Issued 12<sup>th</sup> day of Nov 1917.

Filed Nov 20/1917

W. J. Herbert

J. P.

This is to certify that the  
upon which this Attachment is based, con-  
tains a waiving of the right of Defendant to  
claim personal property as exempt to h  
under the Constitution and Laws of the  
State of Alabama.

Witness my hand, this

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J. P.

Executed the within writ by levying upon  
the following property, as the property of  
within named Defendant, to-wit:

one Ford Automobile.

Executed by leaving a  
copy with W. Schwarz

W. J. Herbert J.P.  
Nov 12<sup>th</sup> 1917

and notice given Defendant as required by  
law.

THE STATE OF ALABAMA,

Baldwin County.

That we, Arthur Schwarz Frank. Hughes and W. D. Hammond  
are held and firmly bound unto N. E. Fuller  
in the sum of Two Hundred and no \$200.00 Dollars,

for the payment of which well and truly to be made, we bind ourselves and each of us, our and each of our heirs,  
executors and administrators, jointly and severally. But upon condition, that if the above bound

of Arthur Schwarz shall prosecute to effect an appeal by him taken this day to  
the next term of the Circuit Court of Baldwin Co from a judgment  
rendered against him in favor of said N. E. Fuller

by A. J. Hubert a justice of the peace for said county, for the  
sum of One Hundred and no (\$100.00) Dollars, debt

in said appeal, shall pay such judgment, both as to debt and costs as may be rendered against him by the said  
Circuit Court of Baldwin County Ala then, in either  
of said events, this obligation to be void, otherwise to remain in full force and effect.

Given under our hands and seals, this the 17<sup>th</sup> day of November 1917

Approved:

A. J. Hubert J. P.

Arthur Schwarz (L. S.)  
Frank Hughes (L. S.)  
W. D. Hammond (L. S.)

3rd

No. .... Page .....

THE STATE OF ALABAMA,

*Baldwin*

County.

## APPEAL BOND

JUSTICE'S COURT OF

*W J Aubert*

*A. C. Fuller*

Plaintiff.

VS.

*Arthur Schwarz*

Defendant.

Filed this *17<sup>th</sup>* day of *Nov* 191*7*

BROWN PRINTING CO. MONTGOMERY.

*Filed Nov 20/17*  
*W W Williams*  
*Deputy*

THE STATE OF ALABAMA

Baldwin County. }

H. B. Fuller

vs.

Arthur Schwarz

To H. B. Fuller

Plaintiff in Cause:

You are hereby notified that

Arthur Schwarz

the Defendant in the above entitled cause, has prayed an appeal from my judgment therein, and having complied

with the requirements of the law in such cases, the same has been granted, to the next term of the Circuit

Court of Baldwin Ala to be held for Baldwin County.

Given under my hand this the 17<sup>th</sup> day of November 1917.

A. J. Leubert

Justice of Peace.

No. 45 Page 25

THE STATE OF ALABAMA,

County.

Notice to Appellee of Appeal

JUSTICE'S COURT OF

*W. J. Robert*

*H. E. Fuller*

VS.

*Arthur Schwarz*

Brown Printing Co., Montgomery, Ala. 19047

*Filed Nov 20/917*

*W. J. Robert*

*Plaintiff*



ANDREW J. AUBERT  
Justice of the Peace, Baldwin County  
ROBERTSDALE, ALA.

LEGAL DOCUMENTS DRAWN.  
ACKNOWLEDGMENTS TAKEN

ROBERTSDALE, ALA., Jan 8th.  
1918.

Mr. T. W. Richerson,

Bay Minette, Ala.

Dear sir,

In closed find check of  
\$ 2.00 having ben informed that is the amount do you  
in the matter of Fuller Vs Schwartz, hopeing this is  
O.K.

Very truly yours.

*A J Aubert*

*P.S. this was settled  
between both of them*

H.C. Fuller  
Plaintiff

vs  
Arthur Schwarz  
defendant

# 1424

In the Circuit  
Court of Baldwin  
County, Alabama

now comes the Plaintiff  
by his attorney and  
demands that this  
cause be tried before  
a jury.

Richard Austin  
attorney for Plaintiff

The State of Alabama, }

Baldwin County. }

KNOW ALL MEN BY THESE PRESENTS, That we,

H. E. Fuller

are held and firmly bound unto

Arther Schwarz

in the sum of

Two Hundred and no  
100

Dollars,

to be paid to the said

Arther Schwarz his

heirs, executors, administrators, and 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 12<sup>th</sup> day of November, in the

year of our Lord, One Thousand Nine Hundred and Seventeen

The condition of the above obligation is such: That, whereas, the above bound

H. E. Fuller

have on the day of the date hereof, prayed an attachment at the suit of

himself

against the estate above named

Arther Schwarz

for the sum of

One Hundred and no  
100

Dollars,

and has obtained the same returnable to me on the 17<sup>th</sup> day of November 1917

And we and each of us hereby waive all right of exemption which we have under the laws of Alabama.

Now, if the said Plaintiff shall prosecute his Attachment to effect, and pay the defendant all such costs

and damages as he may sustain by wrongful or vexatious suing out of such Attachment, then this obliga-

tion to be void; otherwise to remain in full force and effect.

Approved 12<sup>th</sup> day of November

A. D. 1917

[Signature] J. P. }

[Signature] (L. S.)

W. Percy Hall (L. S.)

[Signature] (L. S.)

THE STATE OF ALABAMA,

Baldwin County.

PERSONALLY APPEARED BEFORE ME

A. J. Aubert

a Justice of the Peace of the County and State aforesaid.

H. E. Fuller

who being duly sworn deposeth and saith, that

Arther Schwarz

is justly indebted to him the said

H. E. Fuller

in the sum of One Hundred and 70/100

Dollars, after allowing

all offsets and discounts, and that the said

Arther Schwarz

the defendant

is about to move out of the state

so that the ordinary process of law cannot be served upon him;

and that this attachment is not sued out

for the purpose of vexing or harrassing the said defendant or other improper motive.

Sworn to and subscribed before me

this 12<sup>th</sup> day of November

1917.

H. E. Fuller

A. J. Aubert

No.

THE STATE OF ALABAMA,

Baldwin County.

JUSTICE'S COURT.

Attachment Bond and Affidavit.

H. E. Fuller

VS.

Arther Schwarz

Plaintiff's Attorney.

Brown Printing Co., Montgomery, 24635

Please read vol 917  
of the records  
clear