JOHN V. DUCK ATTORNEY AT LAW P. O. BOX Y FAIRHOPE, ALABAMA 36532

August 12, 1968

Mrs. Alice J. Duck Clerk of Circuit Court P. O. Box 239 Bay Minette, Alabama

36507

Re: John D. Henry

vs. Fred Powell

Civil Case No. 7747

Dear Mrs. Duck:

Please dismiss the attachment in above captioned case as the case has been settled between the parties and Mr. Powell regains possession of his truck.

AMW /

V. Duck

11/02-16

John

cc: Honorable E. G. Rickarby

Our File No. <u>67-358</u> Your File No. <u>774</u>7 Law Offices

E. G. RICKARBY 35 SOUTH SECTION STREET FAIRHOPE, ALABAMA 36532 CODE 205
Telephone: 928-9836
Mailing Address

Mailing Address P. O. BOX 471

July 15, 1968

Honorable Telfair J. Mashburn Circuit Judge Bay Minette, Alabama 36507 70.7747

Dear Judge Mashburn:

Inre: John D. Henry vs. Fred Powell

Request this non-jury case be set at your earliest convenience. I am sending a copy of this to Mr. Duck, the attorney for the Plaintiff, to suggest a date.

Yours very truly,

ess Zer

EGR/jlb cc: Mr. John V. Duck 7-24-68

SI for 11:15 aug. 12,1568

netices, vo. 600

Our File No. 67-358

Your File No. 7.747

LAW OFFICES E. G. RICKARBY

35 SOUTH SECTION STREET FAIRHOPE, ALABAMA 36532

CODE 205 Telephone: 928-9836

Mailing Address P. O. BOX 471

February 8, 1968

Mrs. Alice Duck Clerk of the Circuit Court Bay Minette, Alabama 36507

Dear Mrs. Duck:

Inre: Fred Powell vs. John D. Henry

Enclosed find bond in the above case. Please file and oblige.

Thanks.

Yours very truly,

EGR/jlb Encl.

cc: John V. Duck, Esquire
Encl. Copy of bond
2-19-68

JOHN D. HENRY,) IN THE CIRCUIT COURT OF
Plaintiff,) BALDWIN COUNTY, ALABAMA
vs.) AT LAW, CASE NO. 7747
FRED POWELL,)
Defendant.)

MOTION TO STRIKE

Comes now the Plaintiff, JOHN D. HENRY, and moves the Court to strike the motion filed heretofore by the Defendant, and for grounds thereof says:

1. That the Justice Court of Arrie Godwin, Precinct Ten, in Fairhope, Alabama, refused to approve the bond in that the sureties thereon were non-residents of the County of Baldwin and were unknown to the Justice of the Peace.

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Matta copy of same in a properly addressed envelope with adequate postage thereon.

This

a properly addressed cavelope

JAN 8 1968

ALICE J. DUDN CLERK REGISTER

STAME OF ALABAMA, COUNTY OF BULLOCK.

#/ 7747 Case

We, FRED POWELL and JAMES E. HINSON

and

BERNARD TEW are bound unto JOHN D. HENRY in the sum of TWO HUNDRED SIXTY AND NO/100 (\$260.00) DOLLARS for the payment of which we (jointly and severally) bind ourselves, our heirs, executors and administrators.

Sealed with our Seals, and dated this the 3rd day of February 1958.

The condition of the above obligation is such that, on the 5th day of September, 1967, Arrie Godwin, a Justice of the Peace in and for said County, rendered a judgment in favor of JOHN D. HENRY against FREE POWELL for the sum of NINETY-FOUR AND NC/100 (\$94.00) DOLLARS debt and THIRTY-FOUR AND 75/100 (\$34.75) DOLLARS in costs, from which Judgment the said FRED POWELL has applied for and obtained an appeal to the nest term of the Circuit Court of Baldwin County, Alabama; if the said FRED POWELL shall prosecute said appeal to effect, or if he shall fail in said appeal, shall pay said Judgment both as to the debt and costs as may be rendered against him by said Circuit Court of Baldwin County, then, and in either event, this obligation shall be void, otherwise to remain in full force and effect.

Funt Paull

I, the Sheriff of Bullock County, Alabama, hereby certify that if this bond were presented to me in the County of Bullock, I would approve the sureties as good and sufficient sureties.

Done this the 3 day of Fex

CmBL X

FEB 12 1968

ALUE J. DUCK CLERK REGISTER

STATE OF ALABAMA, COUNTY OF BALDWIN.

We, FRED POWELL and MILDRED SENN

and J. R.

THORNE, are bound unto JOHN D. HENRY in the sum of TWO HUNDRED SIXTY AND NO/100 (\$260.00) DOLLARS for the payment of which we (jointly and severally) bind ourselves, our heirs, executors and administrators.

Sealed with our Seals, and dated this the 9th day of September, 1967.

The condition of the above obligation is such that, on the 5th day of September, 1966, Arrie Godwin, a Justice of the Peace in and for said County, rendered a judgment in favor of JOHN D. HENRY against FRED POWELL for the sum of NINETY-FOUR AND NO/100 (\$94.00) DOLLARS debt and THIRTY-FOUR AND 75/100 (\$34.75) DOLLARS in costs, from which Judgment the said FRED POWELL has applied for and obtained an appeal to the next term of the Circuit Court of Baldwin County, Alabama; if the said FRED POWELL shall prosecute said appeal to effect, or if he shall fail in said appeal, shall pay said judgment both as to the debt and costs as may be rendered against him by said Circuit Court of Baldwin County, then, and in either event, this obligation shall be void, otherwise to remain in full force and effect.

SURETY:

FRED POWELL

- (Mrs) Mildred Senson

- Arc R, Danson

Taken and approved this the \mathcal{G} day of September, 1967.

Justice of the Peace

E. G. R I C K A R B Y 35 SOUTH SECTION STREET FAIRHOPE, ALABAMA 36532

October 14, 1967



Honorable Telfair J. Mashburn Circuit Judge Bay Minette, Alabama 36507

Dear Judge Mashburn:

Inre: John D. Henry

Vs: Fred Powell - Appeal from Justice Court

File: 67-358

In this matter, an attachment was issued out of the Justice Court and suit originated there.



After the hearing, a judgment was rendered for the Plaintiff. Defendant gave bond and an appeal was taken to this Court; and, although the bond is conditioned to pay off the judgment the Defendant's property is still under attachment, and the Justice of the Peace has failed both to release the attachment and to send the bond up to the Circuit Court.

Wherefore, Defendant moves that (1) said attachment be released, as Defendant has given bond to pay the judgment in full, and (2) the Justice of the Peace be ordered to send the Appeal Bond up to the Circuit Court as required by law.

Respectfully Submitted,

E. G. RICKARBY, Attorney for the Defendant.

EGR/jlb

cc: Honorable Arrie Godwin Justice of the Peace

Ettle Street

Fairhope, Alabama 36532

10-24-67

Transcript of Criminal Cases from Justice Court of Baldwin County, Ala.

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STATE of ALABAMA

Baldwin County

IN JUSTICE COURT OF

Baldwin County

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Precinct 10 , Baldwin County, Alabama

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| John D. Henry | - |
| Fairhope Alabama. vs. | — , Plaintiff |
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| Vs. | Plaintiff | | |
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| a judgment was rendered by said Cour | rt in the above stated o | cause, wherein | |
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| in said cause. | | | |
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The State Of Alabama Baldwin County

CERTIFICATE OF JUDGMENT

Plaintiff....

Vs.

Defendant__

MOORE PRINTING CO. - BAY MINETTE, ALA.

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TELEPHONE: 928-9836

LAW OFFICES

E. G. RICKARBY

35 SOUTH SECTION STREET FAIRHOPE, ALABAMA 36532

October 3, 1968

Judge arrie Godwin Ettle Street Fairhope, Alabama 36532

Dear Judge Godwin:

Inre: John D. Henry vs. Fred Powell

You made an attachment on Mr. Fred Powell's truck. The case was disposed of in Bay Minette and the case was dismissed against Mr. Henry; therefore, you have no right to have that truck held.

Please see that it is released.

Yours very truly,

BCR/jlb
cc: Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama
cc: Mr. Fred Powell
10-14-68

Our File No. __67-358

LAW OFFICES

Your File No.

E. G. RICKARBY

35 SOUTH SECTION STREET FAIRHOPE, ALABAMA 36532

CODE 205 Telephone: 928-9836 Mailing Address P. O. BOX 471

December 23, 1967

Mrs. Alice Duck Clerk of the Circuit Court Bay Minette, Alabama 36507

Dear Mrs. Duck:

Inre: John D. Henry
Vs: Fred Powell

Enclosed find Motion of Henry versus Powell. Please process and oblige.

Yours very truly,

EGR/jlb Encl. 1-12-68

es a

Loubon

JOHN D. HENRY,

Plaintiff,

VS.

PRED POWELL,

Defendant.

Defendant.

TO THE HONORABLE TELFAIR MASHBURN, JUDGE OF THE CIRCUIT COURT:

Comes the Defendant, FRED POWELL, and shows to the Court that a bond has been filed in this case, conditioned to pay the Judgment when rendered, and moves that the Court dismiss the Attachment heretofore filed in this cause.

E. G. RICKARBY, Attorney for Defendant.

> JAN 2- 1968 ALCE J. DICK CLERK REGISTER

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Attorney for Hed Powell. De / P. O. Box 471. Formage, Ale 2000.