

JURY LIST - 2nd WEEK NOVEMBER TERM, BALDWIN COUNTY, ALABAMA. NOV. 17.

1. Alexander, W. S., Jr., Refrigeration Mechanic, Bay Minette
2. Ankum, Albert, Tensaw
3. Ankum, Beatrice, Tensaw
4. Ankum, George, Tensaw
5. Ankum, Joseph, Tensaw
6. Averitt, Chester C., Appliance Repair, Foley
7. Baskin, Laron, Perdido Beach
8. Bertella, J. P., Farmer, Loxley
9. Bornholt, Roy H., Farmer, Elberta
10. Bray, S. A., Civil Service, Spanish Fort
11. Brown, Arthur L., Store Owner, Bay Minette
12. Cabaniss, Ray, Newport, Bay Minette
13. Campbell, Dorothy M., Secretary, Foley
14. Edward, Willie, Jr., Teacher, Bay Minette
15. Ellis, T. Howard, Montrose
16. Gantt, Bobbie Lee, Blacksher
17. Hall, Howard H., Clerk, Bay Minette
18. Hall, Patricia Mason, Fairhope
19. Hanson, Elaine K., Fairhope
20. Harville, Arthur, Rabun
21. Hermecz, Mary Frances, Fairhope
22. Johnson, Doretha B., Fairhope
23. Kaiser, George, Farmer, Foley
24. King, Jessie, Clerk, Mag. Spgs.
25. Koehler, Eugene, Salesman, Foley
26. Kutack, Jean Ann, Fairhope
27. Lane, Dorothy S., Fairhope
28. Lenz, Carl, Garage Owner, Elberta
29. Mammich, Arthur, Merchant, Fairhope
30. Mattie, Angelo, Jr., Fairhope
31. Mattie, Helen M., Fairhope
32. McCreary, Roosevelt, Fairhope
33. McLean, Eva Pearl, Fairhope
34. Moore, Ack W., Fairhope
35. Nall, Wilber C., Farmer, Bon Secour
36. Nelson, Charles E., III, Merchant, Fairhope
37. Neimeyer, C. B., Fairhope
38. Neimeyer, Lenora, Fairhope
39. Owen, Charles R., Fairhope
40. Owen, L. D., Jr., Merchant, Bay Minette
41. Parker, Henry P., Fairhope
42. Parks, Raymond T., Jr., Fairhope
43. Patrick, Gwin T., Fairhope
44. Perkins, Sherman T., Fairhope
45. Peters, Billy C., Fairhope
46. Phillippi, Talmage, Rabun
47. Reynolds, Robert Roy, Fairhope
48. Reznier, Rudolph, Sr., Fairhope
49. Rice, Charles J., Fairhope
50. Robinson, Dudley, Insurance, Fairhope
51. Rogers, Claude M., Truckee, Bay Minette
52. Slaughter, Mrs. June M., Tensaw
53. Stewart, Khola, Rabun
54. Stackoy, Joe, Sawmill, Bay Minette
55. Stryon, Lonnie M., Farmer, Foley
56. Thompson, Wm. A., Insurance, Bay Minette
57. Washington, John Ed., Retired, Blacksher
58. Waters, Farmer, Summerdale
59. Week, Elliot, Mechanic, Mag. Spgs.
60. West, Mark, Silverhill
61. Wilcox, James, Clerk, Loxley
62. Wilson, Frank E., Brookley Fire
63. York, Blacksher
64. Sweat, C. D., Real Estate, Robertsdale
65. Maury, Louise P., Fairhope
66. Berglin, Ouida
67. Patton, William L., Jr., Fairhope
68. Hauge, Ralph O., Clerk, Silverhill
69. Overstreet, Layton J., Fairhope
70. McDade, Adelaide Dodd, Fairhope

P XXXXX XXXXX XXE

D XXXXX XXXXX XXI

CLAUDE PHILLIPS d/b/a
PHILLIPS MOTORS

Plaintiff

vs

S. W. JACOBS

Defendant

X

X

X

X

X

X

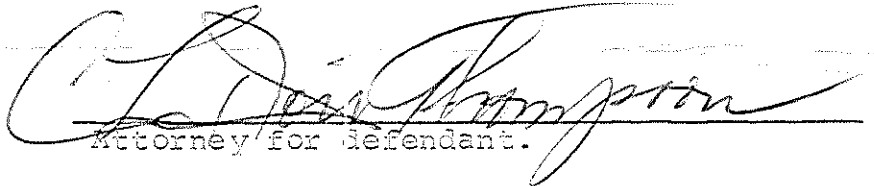
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

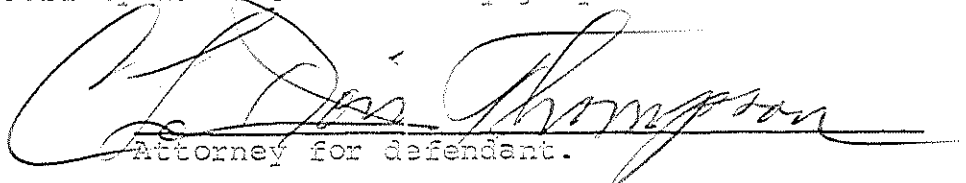
AT LAW NO. 8306

Comes the defendant in the above styled cause and demurs to the complaint filed in said cause and for demurrer shows unto this Honorable Court as follows:

1. Said complaint fails to state a cause of action.
2. Said complaint fails to state the name of the alleged owner of said automobile.
3. Said complaint fails to allege that the said defendant sold the said automobile to the said plaintiff.


Attorney for defendant.

Defendant respectfully demands a trial by jury.


Attorney for defendant.

FILED

OCT 1 1968

ALICE J. DUCK CLERK
REGISTRAR

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon S. W. Jacobs, 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 same, then and there to answer the complaint of Claude Phillips d/b/a Phillips Motors.

This the 6 day of Sept, 1968.

Alice J. Duck
CLERK

CLAUDE PHILLIPS d/b/a
PHILLIPS MOTORS
PLAINTIFF
VS
S. W. JACOBS
DEFENDANT

) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA
)
) AT LAW
)
) NUMBER: 8306
)
)

Plaintiff claims of the Defendant the sum of TWO-THOUSAND EIGHT-HUNDRED and NO/100 (\$2,800.00) DOLLARS, damages for breach of a warranty in the sale of an automobile, by him to the Plaintiff on to-wit the 19th day of July, 1968, which the Defendant warranted that he owned and had good right to sell, when in fact, he did not own the said car and that it was the property of another.

W. L. Hay
Attorney for Plaintiff

Defendant may be found

Bay Minette, Alabama
Highway 31 South

FILED

SEP 6 1968

ALICE J. DUCK CLERK
REGISTER

NUMBER: 8306

CLAUDE PHILLIPS d/b/a
PHILLIPS MOTORS

PLAINTIFF

VS

S. W. JACOBS

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

SUMMONS AND COMPLAINT

Received 6 day of Sept 1966
and on 10 day of Sept 1966
I served a copy of the within D+C
per A. W. Jacobs
My service on _____
TAYLOR WILKINS, Sheriff
By W. A. Gilbert

CLAUDE PHILLIPS d/b/a	)	IN THE CIRCUIT COURT OF
PHILLIPS MOTORS)	
	)	BALDWIN COUNTY, ALABAMA
PLAINTIFF)	
	)	AT LAW
VS)	
	)	NUMBER: 8306
S. W. JACOBS)	
)	
DEFENDANT)	

Comes now Plaintiff in the above styled cause and demurs to Defendant's Plea and each count thereof separately and severally and assigns the following separate and several grounds:

1. The Plea does not constitute a defense to the Complaint.
2. The Plea is immaterial.


 Attorney for Plaintiff

Filed 11-17-69
Alice J. Welch
clerk

CLAUDE PHILLIPS d/b/a
PHILLIPS MOTORS

PLAINTIFF

VS

S. W. JACOBS

DEFENDANT

) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA
)
) AT LAW
)
) NUMBER: 8306
)
)
)

MOTION AND AFFIDAVIT FOR
IMMEDIATE EXECUTION ON JUDGEMENT

Comes now Wilson Hayes, Attorney in the above styled cause and moves the Clerk to issue execution in this cause according to Title 7, Section 511, Alabama Code 1940 as amended and files herewith affidavit as made and provided.


Attorney for Plaintiff

STATE OF ALABAMA
BALDWIN COUNTY

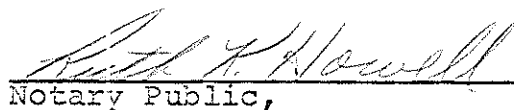
Before me, Ruth K. Howell, a Notary Public in and for said County in said State, personally appeared Wilson Hayes, who being duly sworn deposes and says:

That he is Attorney for Plaintiff in the above styled cause; that Judgement was intered in the above styled cause in favor of the Plaintiff and against the Defendant in the amount of \$ 2800⁰⁰ plus \$ 56²⁰ costs on the 24th day of November, 1969 and that he is informed and verily believes that Defendant is about fraudulently to dispose of, or remove its property, and that thereby the Plaintiff will probably loose his debt.

Further deponent sayth not.


Wilson Hayes

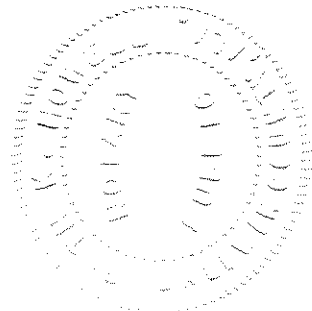
Sworn to and subscribed before me this the 16th day of December, 1969.


Notary Public,

FILED

DEC 16 1969

ALICE J. DUCK CLERK
REGISTER



STATE OF ALABAMA

BALDWIN COUNTY

RECEIVED of S. W. Jacobs the sum of ONE THOUSAND (\$1,000.00) DOLLARS in cash, as settlement in full and as satisfaction of that judgment obtained by Claude Phillips d/b/a Phillips Motors vs. S. W. Jacobs, being Civil Jury Case No. 8306.

Copy of said agreement to be furnished to the Circuit Clerk of Baldwin County by the said Claude Phillips.

WITNESS my hand and seal on this the 1st day of

JUNE, 1970.

Claude G. Phillips (SEAL)
CLAUDE (PHILLIPS)

WITNESS:

James G. Hendrix

William Tidwell

FILED

JUN 4 1970

ALICE J. DUCK CLERK
REGISTER

CLAUDE PHILLIPS d/b/a
PHILLIPS MOTORS

Plaintiff

vs

S.W. JACOBS

Defendant

X
X
X
X
X
X
X

IN THE CIRCUIT COURT OF

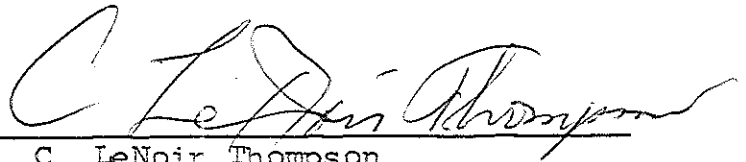
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 8306

Comes the defendant in the above styled cause and
for answer to the complaint filed in said cause shows as
follows:

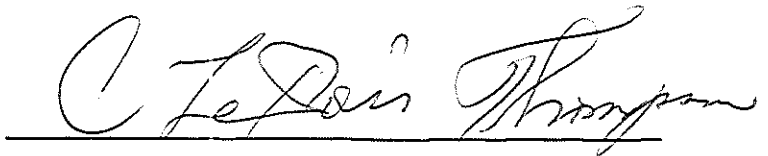
1. He denies the allegations of said complaint.
2. Your defendant further shows that he was a
bona fide purchaser for value.



C. LeNoir Thompson
Attorney for Defendant.

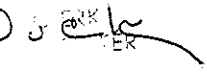
I hereby certify that a copy of the foregoing answer
has been served on Honorable Wilson Hayes, Attorney at Law,
Bay Minette, Alabama.

Done this the 13th day of November, 1969.



FILED

NOV 13 1969

ALICE S. D. J. 

WILSON HAYES

LAWYER

P. O. BOX 300

BAY MINETTE, ALABAMA

36507

TELEPHONE 937-5506

December 17, 1970

Clerk, Circuit Court
Baldwin County
Bay Minette, Alabama 36507

Re: Claude Phillips d/b/a Phillips
Motors Vs. S. W. Jacobs,
Civil Case #8306

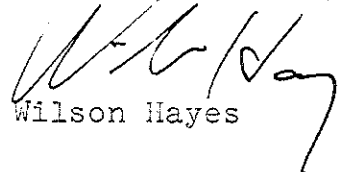
Dear Mrs. Duck:

This will enclose a copy of a letter to the Sheriff's Department regarding the execution in the above styled cause. There has been no settlement in this case as to Court Costs either through Plaintiff or Plaintiff's Attorney and the costs have not been taxed against the Plaintiff. The case still stands with costs taxed against the Defendant.

Please do not issue execution against this Plaintiff again until a return has been had from the Sheriff's office showing no property found of Defendant.

You are further advised that the debt, other than the costs, has been satisfied and are requested not to issue execution against Defendant for the principal sum of the judgment.

Yours very truly,


Wilson Hayes

WH/ms

Enc.

Cy to: Mr. Thompson
Sheriff's Department

note:

*Execution was issued against defendant
12-16-70*

*Returned by Sheriff marked "Settled"
No cost has been paid therefore
Execution issued against Plaintiff
12-4-70. No other orders entered. ^{York} ~~Robert Duck~~*

December 17, 1970

Sheriff's Department
Baldwin County
Bay Minette, Alabama 36507

Attn: Mr. Byrd

Re: Claude Phillips d/b/a Phillips
Motors Vs. S. W. Jacobs,
Civil Case #8306

Dear Mr. Byrd:

This case has not been settled as to the costs which were taxed to the Defendant, Mr. Jacobs. The file does not show any agreement by the Plaintiff or Plaintiff's Attorney as to this. Please return it to the Clerk to be issued against the Defendant.

Yours very truly,

Wilson Hayes

WH/ms

Enc.

Cy to: Clerk, Circuit Court
Mr. Thompson
Mr. Phillips

C. LENOIR THOMPSON

Attorney-At-Law

BAY MINETTE, ALABAMA

Office Phone: 937-3921

36507

Phone: 937-7487

October 27, 1970

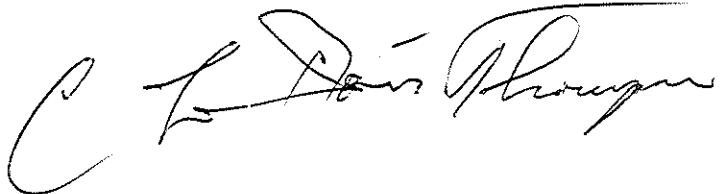
Alice J. Duck, Clerk
Baldwin County Courthouse
Bay Minette, Alabama

Re: Claude Phillips vs. Jacobs
Case No. 8306

Dear Mrs. Duck:

In as much as I did not make a settlement on the above case, but have an agreement which clearly states "In satisfactory", and the plaintiff having accepted same, I must assume the same, and to believe that his client accepted settlement without Mr. Hayes advice.

Yours very truly,

A handwritten signature in cursive script, reading "C. Lenoir Thompson". The signature is written in dark ink and is positioned below the typed name "C. Lenoir Thompson".

CLT/mm

cc: Mr. Wilson Hayes

THE STATE OF ALABAMA, Baldwin COUNTY
CIRCUIT COURT

To any Sheriff of the State of Alabama—GREETING:

You are hereby commanded that of the goods and chattels, lands and tenements of Claude Phillips, Albia Phillips Motors

\$57.20, Plaintiff, you cause to be made the sum of _____ Dollars,

costs of suit, for that, whereas, on the 17 day of Nov., 1969 the said Claude Phillips, Albia Phillips Motors

Plaintiff, recovered by the judgment of the Circuit Court of Baldwin County, of J. W. Jacobs

Defendant, the sum of \$2800.00 Dollars, upon which judgment an execution has been issued, and returned by the Sheriff "No property found". And have you that money ready to render to Alice S. Luck, Clerk of said Court, and make return of this writ and the execution thereof according to law.

Witness my hand, this 8 day of Dec., 1970 75

Alice S. Luck, Clerk.
Curie B. Blackman

CLERK'S FEES:	AMOUNT	SUMMARY OF FEES, COSTS AND JUDGMENT:	AMOUNT
1. Suits for \$100.00 or less.....	\$ 6.00	1. Clerk's Fees	20 50
2. Suits for over \$100.00 but less than \$1000	10.00	2. Ex-Clerk's Fees	3 00
3. Suits for \$1000.00 and over.....	20.00	3. Sheriff's Fees	14 50
4. Suits Detinue, ejectment, etc.....	10.00	4. Ex-Sheriff's Fees	5 00
5. Suits not otherwise provided for.....	10.00	5. Trial Tax	24 70
6. Appeal from Justice of Peace, etc.....	6.00	6. Court Reporter's Fee, per day.....\$	
7. Garnishment on Judgment, etc.....	6.00	7. Witness Fees	
8. Workmen's Compensation—Petition Settlement	10.00	8. Commissioner's Fees	
9. Appeals from State Dept. of Pub. Safety, etc.....	10.00	9. Garnishee's Fees	
10. Motion to sell real estate—J. P. levy.....	6.00	10. Publisher's Fees	
11. Mandamus, writ of prohibition, etc.....	15.00	11.	
12. Recording Executions—State Agencies.....	3.00	12.	
13. Copy of Record—per 100 words.....	.15	13. Clerk's Fees in Inferior Court	
14. Certifying Abstract in transcript.....	5.00	14. Sheriff's Fees in Inferior Court.....	
15. Record for Supreme—Appeals Ct. per 100 wds. ....	.15	15. Witness Fees in Inferior Court.....	
16. Additional copies Record—Appeals per 100 wds. ....	.05	16.	
17. Taking Appeal Bond .....	.75	17. Justice of Peace Fees.....	
18. Reporter's Transcript on Appeal.....	10.00	18. Constable's Fees	
19. Appeals Courts Concurrent Jurisdiction	15.00	19.	
20. Application—Habeas Corpus	6.00	20. Cost in Appealed Cases Docketed (Total).....	
21.		TOTAL FEES AND COST	
22.		21.	
Total Clerk's Fees		22. Judgment	\$
SHERIFF'S FEES:		23. 10% Damages	\$
23. Serving summons and complaint	\$ 1.50	24. Interest	\$
24. Levying attachment and return	0.25	TOTAL JUDGMENT	
25. Seizing personal property—Detinue	6.00	TOTAL FEES, COST AND JUDGMENT.....	57.20
26. Approving bond, each.....	2.00		
27. Serving Garnishee—Writ	1.50		
28. Serving Sci. Fa. or notice.....	1.50		
29. Serving subpoenas, each.....	.75		
30. Impanelling Jury .....	.75		
31. Serving Contempt Attachment	1.50		
32. Collecting execution for cost only.....	1.50		
33. Commissions on Execution			
34. Executing Writ of Possession, each	5.00		
35. Making Deed to Real Estate sold, each	2.50		
36. Mileage, each .....	.10		
37.			
38.			
Total Sheriff's Fees			

Received in office, _____ 19____

DEC 8 1970, Sheriff

Sheriff's Execution Docket, Page _____

By virtue of the within Execution I have, at

_____ o'clock _____ M., this

day of _____, 19____, levied

on the following:

RECEIVED

JAN 22 1975

THOMAS H. BENTON

10-12-85
SHERIFF

Returned to bank 100
prop. found on check
to bank.

Thomas H. Benton
Sheriff

Susan O. Harlow

_____, Sheriff

_____, Deputy Sheriff

Letter to ptf. of Att. 2/13/75
letter to ptf. 12.9.75

alias contacted

No. 8306 Page _____

THE STATE OF ALABAMA

Baldwin COUNTY

CIRCUIT COURT

Claude Phillips, et al
Phillips Motors *Perdido*
vs. Plaintiff

A. W. Jacobs

_____, Defendant.

FI. FA. FOR COSTS \$57.20

Filed this _____ day of

_____, 19____

_____, Clerk.

Fee Book _____, page _____

Execution Docket, _____, Page _____

Wilson Hayes
Plaintiff's Attorney.

_____, Defendant's Attorney.

9/29/71

PLAINTIFF'S WITNESSES

AMOUNT

DEFENDANT'S WITNESSES

Total