

82

The State of Alabama, }
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA;

WHEREAS, R. B. Capperune,

M. A. Stone
hath complained on oath to me, T. W. RICHMOND, Clerk of Circuit Court of Baldwin County,
Ala., that Archie Sharretts,

is justly indebted to the Plaintiff R. B. Capperune,

in the sum of Four Hundred and Fifty Dollars Dollars, and
R. B. Capperune having made affidavit and given bond
as required by law, in such cases, you are hereby commanded to attach so much of the estate of
Archie Sharretts,

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such
estate, so attached unless replevied, so to secure, that the same may be liable to further pro-
ceedings thereon to be had by the Circuit Court of Baldwin County, Ala., at a term thereof, to be
held at the Court House of said County, on First Monday after the ^{4th} Monday of
January 19 ³⁵ next; when and where you must make known to said Court how
you have executed this Writ,

WITNESS, my hand, this 15th day of September A. D. 192 ³⁴

M. A. Stone Clerk.

Deed Page 87

RECORDED
No. 82

ATTACHMENT

R. B. Capperune,

Vs. } Attachment

Archie Sharretts,

Issued September 15th, 1934.

Moore Printing Co. Bay Minette, Ala.

*Executed 9/29/34 by
Attaching one
Mare Mule one
Potato seeder one
Hilling Cultivator
Crops in place
Corn & Potatoes*

*W R Stewart
Sheriff*

B. M. H. W.

RECORDED

STATE OF ALABAMA

COUNTY OF BALDWIN

KNOW ALL MEN BY THESE PRESENTS, That we R. B. CAPPERUNE
as principal and H.C. GREEN and JOHN CLEVERDON
as sureties of the County of Baldwin are held and firmly bound
unto ARCHIE SHARRETT in the sum of NINE HUNDRED DOLLARS, to be
paid to the said Archie Sharretts, his certain Attorneys, Executors,
Administrators or Assigns, for which payment, well and truly to be
made, we bind ourselves and our heirs, executors or administrators,
jointly and severally, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas
the above bounden R. B. Capperune hath the day of the date hereof,
before the Circuit Court of Baldwin County, prayed an Attachment at
the suit of himself against the estate of the above named Archie
Sharretts for the sum of Four Hundred and Fifty Dollars and hath
obtained the same returnable to the next term of the Circuit Court
of Baldwin County.

Now, if the said R. B. Capperune shall prosecute his said
Attachment to effect, and pay to the said Archie Sharretts all
such damages as he may sustain by the wrongful or vexations suing
out thereof, then the above obligation to be void, otherwise to
remain in full force and effect.

Sealed with our seals, and dated the Fifth day of
September in the year of Our Lord, one thousand, nine hundred and
thirty-four.

In Presence of

W. V. Phillips

W. C. Green (SEAL)

John Cleverdon (SEAL)

R. B. Capperune (SEAL)

H. Kennedy

L. J. Brown

Taken and approved, this
the 15th day of Sept. 1934.

M. A. Stone
Clerk

RECORDED

No. 82

R. B. CAPPERUNE,
Plaintiff,

vs

ARCHIE SHARRETT,
Defendant.

ATTACHMENT BOND.

Filed Sept 15th 1934
W. A. Stone
Clerk.

Circuit Court, Baldwin County

72

R B Cappe

PLAINTIFF

VS.

Archie Sherritts

DEFENDANT

BILL OF COST

CLERK'S FEES		Dollars	Cts.	AMOUNT BROUGHT FORWARD		\$	Cts.
Issuing Summons and Complaint	\$1 25	1	25	Transcript to Supreme Court, 15c per hundred words		8	55
Copies of same, when over 200 words, 15c per 100	30		30	Copies, 5c per hundred words			
Issuing Alias Summons and Complaint	1 25			Citation to Appellee in Appeal, 20c per hundred words			
Entering Sheriff's Return on Summons and Complaint	20		20	Certificate with Seal, 50c. Without Seal	25		
Docketing Cause 25c. Ent. Appearance, 20c	45		45	Witness Certificate	25		
Subpoena for Witness	30		30	Taking Bond Not Above Mentioned	75		
Making Certificate of Judgment	50		50	Entering Order of Court not above named	30		
Filing	10		10	Administering Oath	25		
Trial and Incidents	75		75	Taking Bond for Costs of Non-Resident Plaintiff	75		
Entering Judgment, or copy of same	30		30	Copy of any paper not above named, 15c per hundred words			
Order for Continuance	10		10	Filing Writ of Prohibition and Entering Return	15		
Issuing Execution	50		50	Issuing Writ of Prohibition	75		
Docketing Execution	25		25	Issuing copies of same, 15c per 100 words			
Issuing copy of same	50		50	Filing Mandamus and Entering Return	15		
Entering Sheriff's Return on Execution, 15c per hundred words	20		20	Issuing Writ of Mandamus	75		
Final Record, 15c per hundred words				Issuing copies of same, 15c per 100 words			
Order for Alias Summons and Complaint	30		30	Total Clerk's Fees			
Order to Dismiss Cause	30		30	SHERIFF'S FEES			
Order to Set Aside Dismissal	30		30	Serving and Returning Summons	\$1 50		
Order Overruling Motion to Set Aside Dismissal	75		75	Serving and Returning Subpoenas	65		
Order Granting New Trial	30		30	Collecting Execution for Costs	1 50		
Order Overruling Motion for New Trial	30		30	Serving and Returning Sci. Fa. Notice, etc.	65		
Order Overruling Motion for Continuance	30		30	Executing Writ of Possession	2 50		
Order Overruling Motion to Set Aside Default	30		30	Levying Attachment	3 00		
Order for Notice to Non-Resident Defendant	30		30	Entering and Returning Attachment	25		
Issuing Notice for Publication and Copy 20c per hundred words				Entering and Returning Execution	25		
Order to Give Security for Costs	30		30	Summoning and Returning Garnishee	1 50		
Order to Give Additional Bond	30		30	Taking and Approving Garnishee Bond	75		
Order to Execute Writ of Inquiry	30		30	Serving and Returning Writs	1 50		
Order of Sale in Attachment	30		30	Serving and Returning Summons on Forcible Entry	1 00		
Order for Leave to Amend Complaint	30		30	Executing Writ of Restitution in such cases	2 00		
Order for Leave to Amend Pleas	30		30	Taking and Approving Bonds of Every Kind	1 00		
Order for Leave to Amend Writ of Process	30		30	Taking and Approving Claim Bond	1 00		
Order for Attachment for Witness	30		30	Taking and Approving Forthcoming Bond	1 00		
Filing Deposition	10		10	Taking and Approving Bail Bond	1 00		
Issuing Commission to Take Deposition	75		75	Taking and Approving Plaintiff's Detinue Bond	1 00		
Issuing copy of same, per hundred words	15		15	Taking and Approving Defendant's Detinue Bond	1 00		
Issuing Copy of Interrogatories, 15c per hundred words, but not less than	50		50	Making Deed	2 50		
Endorsing each Pet. Deposition Opened	10		10	Serving Attachment for Contempt of Court	1 50		
Taking Bond in Garnishment on Summons	75		75	Collecting Money on Execution			
Summons to Garnishee	50		50	Empanelling Jury	75		
Copies of same, 20c per hundred words				Sheriff's Commission for Property Sold under Attachment			
Notice to Defendant in Garnishee on Summons, and copy, per hundred words	20		20	Seizing Personal Property on Writ of Detinue	3 00		
Swearing Garnishee and Recording Answer, 15c per hundred words, but not less than	50		50	Total Sheriff's Fees			
Filing Attachment	10		10	RECAPITULATION			
Issuing Attachment Writ and Taking Bond	1 00		1 00	Judgment			
Issuing Copies of Attachment Writ, 15c per hundred words				Interest			
Filing Certiorari and Entering Return	15		15	Clerk's Fees			
Taking Certiorari Bond and Filing Same	75		75	Sheriff's Fees			
Issuing Writ of Certiorari	75		75	Justice's Fees			
Issuing copies of same, 15c per 100 words				Constable's Fees			
Issuing Writ of Scieri Facias, or Notice in Nature of	75		75	Witnesses' Fees			
Issuing copies of same, 15c per 100 words				Commissioners' Fees			
Taking Supersedeas Bond and Filing same	75		75	Printer's Fees			
Taking Appeal Bond and Filing same	75		75	Stenographer's Fees	5 00		
TOTAL FORWARDED				Answer of Garnishee			
				Trial Tax	3 00		
				Total	\$		

Received payment this _____ day of _____ 193 _____

ATTEST

Clerk Circuit Court, Baldwin County, Ala,

Circuit Court, Baldwin County

No. 52 1675

R B Coppinger

VS.

Arthur Shurtle

Civil Cost Bill

Paid _____ 193 _____

Clerk.

The State of Alabama }
Baldwin County

CIRCUIT COURT--LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon

ARCHIE SHARRETS

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 the same, then and there to answer the complaint of

R. B. CAPPERUNE

Witness my hand, this 14th day of September 1934.

W. A. Stone

Clerk.

COMPLAINT

R. B. CAPPERUNE,
Plaintiff,
vs

CIRCUIT COURT OF
BALDWIN COUNTY, ALA.

ARCHIE SHARRETS,
Defendant.

1 The plaintiff claims of the defendant FOUR HUNDRED and FIFTY DOLLARS, the rent of a tract of land, viz, the north-west quarter of the South-east quarter of Section Nineteen, Township Six South of Range Four East in Baldwin County demised by the plaintiff to the defendant on the first day of January 1932, said rent commencing on the first day of January 1932 and ending on the 31st day of December 1934

2 The plaintiff claims of the defendant FOUR HUNDRED AND FIFTY DOLLARS for use and occupation by him of the following tract of land, viz; the North-west quarter of the South-east quarter of Section Nineteen, Township Six South of Range Four East in Baldwin County, Alabama, belonging to the plaintiff from the 1st day of January 1932 to the thirty-first day of December 1934.

Elliott B. Rinehart
Attorney for Plaintiff.

Circuit Court, Baldwin County

No. 82 1675

R B Coppage

VS.

Artie Shurtle

Civil Cost Bill

Paid _____ 193 _____

Clerk.

RECORDED

Received in office _____ day of _____

19

Sheriff of _____ County, Ala.

Executed by serving _____ cop *y*
of the within Summons and Complaint on

Archie Sharretts

Defendant

This the *29* day of *Sept* 19 *34*

W. R. Stuart

Sheriff of *Baldwin* County, Ala.

By *M. J. W. [Signature]* Deputy Sheriff.

RECORDED

No. 82

R. B. CAPPERUNE,
Plaintiff,

VS.

ARCHIE SHARRETTS,
Defendant.

IN CIRCUIT COURT OF BALDWIN COUNTY

Term 19

SUMMONS AND COMPLAINT

Filed in office this *15* day of

Sept *W. A. Stone* A. D. 19 *34*

Clerk.

Elliott G. Rickaby.
Plaintiff's Attorney.

Moore Printing Co. : : : : Bay Minetto, Ala.

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me the undersigned Notary personally appeared this day R. B. CAPPERUNE, who being sworn says that ARCHIE SHARRETTS rented from him on January 1st, 1932 for use as a farm and dwelling, viz., the NORTH WEST QUARTER of the SOUTH EAST QUARTER of SECTION NINETEEN, TOWNSHIP FOUR SOUTH of RANGE FOUR EAST in Baldwin County, Alabama at the annual rent of \$150.00 per year payable on or before the following June of each year.

THAT said rent has not been paid and said lease has been renewed from year to year and that there is now due and unpaid thereon the sum of FOUR HUNDRED AND FIFTY DOLLARS. Wherefore Affiant has prayed an attachment upon the following described personal property of the said tenant:

One Potato Planter, One Mule, Riding Cultivator and all personal property now on above land together with the growing crop of corn and potatoes now thereon.

Affiant further says that this attachment is not sued for the purpose of vexing or harassing the Defendant.

L. B. Capperrune

Subscribed and sworn to before me this the Fifth day of September, 1934.

Elliott H. Rinehart
Notary Public, Baldwin County, Alabama

RECORDED No. 82

R. B. CAPPERUNE,
Plaintiff,

VS

ARCHIE SHARRETT,
Defendant.

AFFIDAVIT FOR ATTACHMENT.

ELLIOTT G. RICKARBY,
Attorney for Plaintiff.

Filed Sept 15th 1934
W. A. Stone
Clerk

R. B. CAPPERRUNE,

PLAINTIFF

- vs -

ARCHIE SHARRETTS

DEFENDANT

VICTOR JURKIEWICZ & J. J.
JURKIEWICZ, CO-PARTNERS DOING BUS-
INESS AS V. JURKIEWICZ & SON

CLAIMANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

#82

CLAIM BOND

KNOW ALL MEN BY THESE PRESENTS, that we, V. Jurkiewicz & Son, a co-partnership composed of Victor Jurkiewicz and J. J. Jurkiewicz, as principal, and the undersigned as sureties to hereby acknowledge ourselves indebted to R. B. Capperrune, the above named Plaintiff, in the penal

sum of \$ 500.00 to the payment of which we bind ourselves, our heirs, executors and administrators.

The condition of this obligation is that whereas on the 29th day of September, 1934 the said Plaintiff did cause to be attached by the sheriff of Baldwin County, Alabama, 1 mare mule, 1 potato digger, and 1 riding cultivator, together with certain other property, and whereas the above named principal has filed an Affidavit claiming said property and the same has been delivered to said Claimant by the sheriff, now if the said Claimant shall have the property above described forthcoming for the satisfaction of the judgment of claim of the said Plaintiff, if it be found liable therefore, and also for the payment of such costs and damages as may be recovered for interposing the claim for delay, then this obligation to be null and void, but otherwise to remain in full force and effect.

Dated this 10th day of October, 1934.

V. JURKIEWICZ & SON

By [Signature] (SEAL)

[Signature] (SEAL)

[Signature] (SEAL)

Taken and approved this 11th day of October, 1934.

[Signature]
Sheriff

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

R. B. CAPPERRUNE,

Plaintiff,

-vs-

ARCHIE SHARRETT,

Defendant,

V. JURKIEWICZ & SON,
a co-partnership com-
posed of Victor Jurk-
iewicz and J. J. Jur-
kiewicz,

Claimants.

CLAIM BOND.

Lloyd A. Magney,
Attorney for Claimants.

Filed Oct 16, 1934

M. A. H. H. Co.
Clarity

R. B. CAPPERUNE

Plaintiff

vs

ARCHIE SHARRETT

Defendant

L A W

IN THE CIRCUIT COURT

OF BALDWIN COUNTY, ALABAMA

Comes the Plaintiff in this cause and prays that an order be made directing the Sheriff to sell the property levied upon for the following reasons:

FIRST: That a part of the property levied upon namely the crop of corn and potatoes is of so perishable a nature that it will deteriorate in value before the next term of the Circuit Court;

SECOND: Because that the remainder of the property seized upon is farm implements and live stock to safely care and maintain which for a long period would be a great and unnecessary expense.

Elliot G. Rinsley
Attorney for Plaintiff.

Before me the undersigned Notary Public personally appeared R. B. Capperune who being by me duly sworn says that the property levied upon by the Sheriff of Baldwin County in the attachment suit above styled and now in the possession of the Sheriff is of so perishable nature as to the crop seized and that it will deteriorate greatly in value before the next term of Court and the expense of safely keeping the other personal property so seized will be great and burdensome so that immediate sale of all of the attached property is to the interest of all parties.

R. B. Capperune

Subscribed and sworn to before me this the 3rd day of October, 1934.

Elliot G. Rinsley
Notary Public, Baldwin County, Alabama

I hereby assent to an immediate sale.

Defendant.

RECORDED

R. B. CAPPARONE

Plaintiff

vs

ARCHIE SHARRIFTS

Defendant

MOTION FOR IMMEDIATE SALE
OF ATTACHED PROPERTY

Filed Oct 6th 1934
J. A. Stone
Clerk,

R. B. CAPPERUNE,

Plaintiff,

L A W

vs.

CIRCUIT COURT OF C

BALDWIN COUNTY, ALABAMA.

ARCHIE SHARRETTS,

Defendant.

This cause coming on to be heard on the motion of the Plaintiff for an order of sale of the property levied on under the attachment on the ground that same is perishable and for other reasons set out in said motion, and same having been considered by the Court, it is ordered by the Court that the Sheriff proceed to sell said property at public auction, after giving notice of sale as required by law and that the proceeds of said sale be deposited with the Clerk of this Court for further orders thereon.

Done at Monroeville, Alabama, this 8th day of October, 1934.

J. M. Hare

Judge.

RECORDED

R. B. CAPPERUNE,
Plaintiff,

vs.

ARCHIE SHARRETTS,
Defendant,

ORDER OF SALE

Filed Oct 6th 1994
W. H. A. Stone,
Clerk.

R. B. CAPPERRUNE,
PLAINTIFF

- vs -

ARCHIE SHARRETTS
DEFENDANT

VICTOR JURKIEWICZ & J. J.
JURKIEWICZ, CO-PARTNERS DOING
BUSINESS AS V. JURKIEWICZ & SON
CLAIMANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

#82

CLAIM AFFIDAVIT

STATE OF ALABAMA
BALDWIN COUNTY

J. J. Jurkiewicz being first duly sworn on his oath deposes and says that he is a member of the firm of V. Jurkiewicz & Son, the above named claimant, which is a co-partnership composed of Victor Jurkiewicz and himself; that the said Claimant is the owner of the following described property, to-wit: 1 mare mule, 1 riding cultivator, and 1 potato digger, all of which property, together with other property of the said Archie Sharretts, has been attached by the above named Plaintiff.

That the ownership of the Claimant is based upon and created by a certain chattel mortgage executed by the said Archie Sharretts to the Claimant on the 30th day of October, 1933 in the face amount of \$225.00, and on which there is now due, including interest to date and attorney fees, the sum of \$218.52, said mortgage being recorded in the office of the Judge of Probate, Baldwin County, Alabama in Mortgage Book 61 in page 432 thereof.

That the title and lien of the Claimant in and to said property above described is paramount to the right, title or interest in said property of the plaintiff.

Subscribed in my presence and sworn to before me this 10th day of October, 1934.



Notary Public

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW
#32

R. B. CAPPERRONE,

PLAINTIFF

- VS -

ARCHIE SHARRETT

DEFENDANT

VICTOR JURKIEWICZ & J. J.
JURKIEWICZ, CO - PARTNERS
DOING BUSINESS AS V.
JURKIEWICZ & SON

CLAIMANTS.

CLAIM AFFIDAVIT

Filed October 16, 1934
W. A. Stone

LLOYD A. MAGNEY
ATTORNEY AT LAW
FOLEY, ALABAMA

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