(86)

STATE OF ALABAMA.

BALDWIN COUNTY.

#### TO ANY SHERIFF OF THE STATE OF ALABAMA:

YOU ARE HEREBY COMMANDED to summon BERA SMYLY to appear within thirty (30) 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 BRODBECK & ZUNDEL BROS., a copartnership composed of Otto E. Zundel, Edward C. Brodbeck, Arnold M. Brodbeck and Colleen Brodbeck.

Witness my hand this the 2.8 day of September, 1934.

Clerk.

BRODBECK & ZUNDEL BROS., a copartnership composed of Otto E. Zundel, Edward C. Brodbeck, Arnold M. Brodbeck and Colleen Brodbeck,

Plaintiff.

vs.

BERA SMYLY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

- l. The plaintiff claims of the defendant the sum of ONE HUNDRED TWENTY-FOUR & 74/100 DOLLARS (\$124.74) due from him by account on the first day of August, 1934.
- 2. The plaintiff claims of the defendant the sum of ONE HUNDRED TWENTY-FOUR & 74/100 DOLLARS (\$124.74) on account stated between the plaintiff and defendant on the first day of August, 1934.
- 3. The plaintiff claims of the defendant the sum of ONE HUNDRED TWENTY-FOUR & 74/100 DOLLARS (\$124.74) for merchandise, goods and chattels sold by the plaintiff to the defendant on the first day of August, 1934.

Which sums of money, with interest thereon, are still unpaid.

Attorneys for Plaintiff.

Docker & Page 88
Brodbear (Dendel Ketural September 29th/934 Bera Bera Simly in Baldwin & MR Sturt Dummans Lamplay Filed Sept 28,1939 Ma Stan

# The State of Alabama, Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA;

WHEREAS, J.	P. BEFER			
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hath complained on oath to me,	ARY ADJUSTONES	Clerk of Circu	it Court of Ba	ldwin County,
Ala., thatB	EPA SMYLY			
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composed of Otto E. Zu	ndel, Edvard.	G. Brodbeck	. Arnold M	Brod
beck and Colleen Brodb			APP	
in the sum ofONE_HUNDRED_				
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as required by law, in such cases	s, you are hereby co	ommanded to att	ach so much o	f the estate of
BERA	SIVIY			
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as will be of value sufficient to sat	tisfy said debt and c	costs, according	to the compla	int; and such
estate, so attached unless reple	vied, so to secure	, that the same	may be liable t	o further pro-
ceedings thereon to be had by the	·-			
held at the Court House of said Co				
19				
you have executed this Writ,		· · · · · · · · · · · · · · · · · · ·		
WITNESS, my hand, this				A. D. 19 <b>24</b>
				Clerk

### **ATTACHMENT**

Brodbeck and

Vs. } Attachment

Bera Simley

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

28th 1934 by atteching Handa of aircuit Clerk, by Dening Nature on clark to appear hefre the arount

THE STATE OF ALABAMA, ) BALDWIN COUNTY.

Before me, W. C. Beebe, a Notary Public in and for said County, personally appeared J. P. BEEBE, who, being duly sworn, on oath saith that Bera Smyly is justly indebted to Brodbeck & Zundel Bros., a copartnership composed of Otto E. Zundel, Edward C. Brodbeck, Arnold M. Brodbeck and Colleen Brodbeck, in the sum of One Hundred Twenty-four & 74/100 Dollars (\$124.74), which said amount is justly due after allowing all just offsets and discounts, and that the said Bera Smyly is a non-resident of the State of Alabama, his place of residence and post-office is unknown to affiant; and that this Attachment is not sued out for the purpose of vexing or harrassing the defendant, or other improper motive. Plaintiff elects to sue out this writ without giving bond.

Subscribed and sworn to before me this 27 day of September, 1934.

Bundal Bear Filed Sept in 154. STATE OF ALABAMA.

BALDWIN COUNTY.

TO MARY A. STONE, CLERK OF THE CIRCUIT COURT:

WHEREAS, a suit has been commenced by writ of attachment in the Circuit Court of Baldwin County, Alabama, returnable as required by law, wherein Brodbeck & Zundel Bros., a copartnership composed of Otto E. Zundel, Edward C. Brodbeck, Arnold M. Brodbeck and Colleen Brodbeck, is plaintiff, and Bera Smyly defendant, for the sum of One Hundred Twenty-four & 74/100 Dollars (\$124.74), which writ of attachment has been placed in my hands for the due execution thereof;

These presents are, therefore, to command you to personally be and appear before the said court, to be holden for said county on the day of \_\_\_\_\_\_\_, 1932, then and there to answer, on oath, whether you are indebted to said defendant at the time of the service of this writ of garnishment, or at the time of making your answer, and whether you will not be indebted in the future to him by a contract now existing, and whether you have not in possession, or under your control, personal or real property, or things in action, belonging to the defendant.

WITNESS, W. R. Stuart, Sheriff of Baldwin County, this 28th day of September, 1934.

Sheriff.

Brodbrek and grundel Bera Suity Levery lopes MA Stone Olk

BRODBECK & ZUNDELL BROTHERS, A Co-partnership composed of Otto E. Zundell, Edward C. Brodbeck, Arnold M. Brodbeck and Colleen Brodbeck,

Plaintiff,

-vs-

PERA SMIT.Y.

Defendant.

IM THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

TO W. R. STUART, SHERIFF OF BALDWIN COUNTY, ALABAMA, GREETINGS: -

You are hereby commanded to notify J. P. Beebe, Attorney for the Plaintiff in the above styled cause, that the said Defendant, Bera Smyly, has in person this day made an unqualified appearance in the above stated cause.

Mitness my hand this 17th day of October, 1934.

Olerk of the Circuit Court of Baldwin County, Alabama.

#### MOTTOR.

.....Deputy Sheriff

BRODBECK & ZUNDELL BROTHERS; A Co-partnership composed of Otto E. Zundell, Edward C. Brodbeck, Arnold M. Brodbeck and Golleen Brodbeck,

Plaintiff.

BERA SMYLY,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Issued October 17th, 1934

## Circuit Court, Baldwin County

the St

Ben Smile

PLAINTIFF

DEFENDANT

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Total\$					Trial Tax 3 00	135	77
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Received payment this \_\_\_\_\_day of

\_\_\_\_\_193 .\_\_\_

Clerk Circuit Court, Baldwin County, Ala,

ATTEST

STATE OF ALABAMA.

BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS, that we, BRODBECK & ZUN-
DEL BROS., a copartnership composed of Otto E. Zundel, Edward C.
Brodbeck, Arnold M. Brodbeck and Colleen Brodbeck,
Chas. E. Nelson and J. A. Klumpp
are held and firmly bound unto BERA SMYLY, in the sum of TWO HUND-
RED FIFTY DOLLARS (\$250.00), to be paid to the said BERA SMYLY,
his heirs, executors, administrators or assigns, for which payment
well and truly to be made, we jointly and severally bind ourselves,
our heirs, executors and administrators.
gooled with our seals and dated this 20th. day of

Sealed with our seals and dated this 20th. day of October, 1934.

The condition of the above obligation is such, that, Whereas, the above bounder BRODBECK & ZUNDEL BROS., a copartnership composed of Otto E. Zundel, Edward C. Brodbeck, Arnold M. Brodbeck and Colleen Brodbeck, have this day prayed for and obtained an attachment against the estate of the said BERA SMYLY for the sum of ONE HUNDRED TWENTY-FOUR and 74/100 DOLLARS (\$124.74), returnable to the Circuit Court of Baldwin County, as required by law.

Which said attachment was executed by the service of a Sheriff's garnishment on M. A. Stone, Register, on the 28th day of September, 1934; and the said BERA SMYLY did on the 17th day of October, 1934, file an unqualified appearance in said cause.

Now if the said BRODBECK & ZUNDEL BROS., a copartners ship composed of Otto E. Zundel, Edward C. Brodbeck, Arnold M. Brodbeck and Colleen Brodbeck, shall prosecute said attachment to effect, and pay the said defendant all such damages as he may sustain from the wrongful or vexatious suing out of such attachment, then this obligation to be void, otherwise to remain in full force and effect.

BRODBECK & ZUNDEL BROS..

Taken and approved this day of October,

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STATE OF ALABAMA.
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

within thirty (30) 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 BRODBECK & ZUNDEL BROS:, a copartnership composed of Otto E. Zundel, Edward C. Brodbeck, Arnold M. Brodbeck and Colleen Brodbeck.

Witness my hand th	is the 28 day of September, 1934
	TO PARTY
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BRODBECK & ZUNDEL BROS., a copartnership composed	) IN THE CIRCUIT COURT OF
of Otto E. Zundel, Edward C. Brodbeck, Arnold M. Brod-	) BALDWIN COUNTY, ALABAMA.
beck and Colleen Brodbeck,	AT LANG.  Superintermination of the company of the
Plaintiff,	
₩Φ	

Defendant.

BERA SMYLY,

- 1. The plaintiff claims of the defendant the sum of ONE HUNDRED TWENTY-FOUR & 74/100 DOLLARS (\$124.74) due from him by account on the first day of August, 1934.
- 2. The plaintiff claims of the defendant the sum of ONE HUNDRED TWENTY-FOUR & 74/100 DOLLARS (\$124.74) on account stated between the plaintiff and defendant on the first day of August, 1934.
- 3. The plaintiff claims of the defendant the sum of ONE HUNDRED TWENTY-FOUR & 74/100 DOLLARS (\$124.74) for merchandise, goods and chattels sold by the plaintiff to the defendant on the first day of August, 1934.

Which sums of money, with interest thereon, are still unpaid.

Attorneys for Plaintiff.

STATE OF ALABAMA.

. TIMUOO MIMULAE

## TO ANY SHEETER OF THE STATE OF ALABAMA:

WOULD SAIN THE ARREST COMMANDED TO SAME SET SHILL TO EDDEST WITH THIS (50) days from the service of this watt in the Circult Court to be held for said County, at the place of holding the same, then and there to enswer the complaint of BRODERON a ZURFFEL BROS:, a copartnership composed of Otto E. Rundel, Edward O. Arodel, Arnold M. Brodbeck and Collegn Brodbeck.

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IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

BRODESOK & ZENDEL BROS... a copartnership composed of Otto B. Zundel, Edward C. Brodesk, Arnold M. Brodek beok and Colless Brodeck.

Plainting,

\* 52.2a.

Carlotte Land

Jefendant.

- I. The plaintiff elaims of the defendant the sun of one hundred that the sun of one hundred thanky-four a 74/100 dollars (\$124.74) due from him by account on the first day of August, 1834.
- 2. The plaintiff claims of the defendant the sum of ONE HUNDRED TREMTY-FOUR & 74/100 DOLLARS (\$124.74) on account stated between the plaintiff and defendant on the first day of august.
- 5. The plaintiff claims of the defendant the sum of ONE HUNDRED TWENTY-FOUR & 74/100 DOLLARS (\$124.74) for merchandisa, goods and chattels sold by the plaintiff to the defendant on the first day of August, 1854.

Thich sums of money, with interest thereon, are still

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STATE OF ALABAMA BALDWIN COUNTY BRODBECK & ZUNDEL BROTHERS, A Co-Partnership Composed of IN THE CIRCUIT COURT Otto E. Zundell, Edward C. Brodbeck, Arnold M. Brodbeck, and Colleen Brodbeck, OF Plaintiffs. VS. BALDWIN COUNTY, ALA. BERA SMYLY. Defendant. At Taw. M. A. STONE, Garnishee.

In the Circuit Court of Baldwin County, comes M. A. Stone, Garnishee, in the above stated cause, and makes her answer, in writing, under oath, in accordance with the terms of said garnishment, as follows: That she is indebted to the above named defendant at the time of the service of the garnishment in the above stated cause, or at the time of making her answer therein, and that she will be indebted to said defendant in the future, by a contract then existing, or at the time of her answer; and that she has in her possession or under her control, money, property, belonging to the said Bera Smyly, Defendant in the above stated cause.

Having made full and true answer to this writ, the garnishee prays that she be discharged with her reasonable costs.

III II WATUR

Sworn to and subscribed before me, on this the 2273 day of October, 1934, A. D.

P. Ex-O.J.P. -Baldwin County, Alabama...

SEALY

CAse NO. 8 6

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

BRODBECK & ZUNDELL BROTHERS, Plaintiff,

VS.

BERA SMYLY,

Defendant.

M. A. STONE,

Garnishee.

GARNISHEE ---

Filed October 22, 1934.

Clerk.

STATE OF ALABAMA.

BALDWIN COUNTY.

TO MARY A. STONE, GLERK OF THE CIRCUIT COURT.

WHEREAS, a suit has been commenced by writ of attachment in the Circuit Court of Baldwin County, Alabama, returnable as required by law, wherein Brodbeck & Zundel Bros., a copartnership composed of Otto E. Zundel, Edward C. Brodbeck, Arnold M. Brodbeck and Colleen Brodbeck, is plaintiff, and Bera Smyly defendant, for the sum of One Hundred Twenty-four & 74/100 Dollars (\$124.74), which writ of attachment has been placed in my hands for the due execution thereof;

WITNESS, W. R. Stuart, Sheriff of Baldwin County, this 28th day of September, 1934.

Sheriff.

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BRODBECK & ZUNDELL BROTHERS, a Co-partnership composed of Otto E. Zundell, Edward C. Brodbeck, Arnold M. Brodbeck and Colleen Brodbeck,

Plaintiff,

-vs-

BERA SMYLY,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE
STATE OF ALABAMA
BALDWIN COUNTY.

Comes the Defendant in the above styled cause, and for answer to the Complaint filed in said cause, and to each and every count thereof, separately and severally, says:

#### FIRST:

That the allegations of the Complaint are untrue.

Bera Singly

Defendant demands a trial of this cause by Jury.

<u> Pera Somuel</u> Defendant:

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BRODBECK & ZUNDELL BROTHERS, A Co-partnership composed of Otto E. Zundell, Edward C. Brodbeck, Arnold M. Brodbeck and Colleen Brodbeck,

Plaintiff, 5

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BERA SMYLY,

pefendant.

IN THE CIPOUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Filed October // , 1934

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