

# The State of Alabama, {

Baldwin County.

## CIRCUIT COURT AT BAY MINETTE, ALA.

Know all Men by these Presents, That we, Knud Jensen, as Principal,  
and the Undersigned, as Sureties,  
....., of the County of Baldwin .....

are held and firmly bound unto J. H. Schenk, Individually, and doing business  
as J. H. Schenk Hardware Store

in the sum of Eight Hundred (\$800.00) Dollars, to

be paid to the said J. H. Schenk, Individually, and doing business as J. H.  
Schenk Hardware Store

heirs, executors, administrators, or 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 and  
severally, firmly by these presents.

Sealed with our seals and dated the 28<sup>th</sup> day of December, 1934.

## The Condition of this Obligation is such:

That whereas, the above bounden, Knud Jensen

..... has, on the day of the date  
hereof, prayed an Attachment at the suit of Knud Jensen

..... against the estate of above named  
J. H. Schenk, Individually, and doing business as J. H. Schenk  
Hardware Store,

for the sum of Three Hundred Eighty (\$380.00) Dollars,  
and hath obtained the same, returnable to the Circuit Court of Baldwin County:

Now, if the said Knud Jensen  
should prosecute said Attachment to effect, and pay the said Defendant all such damages as he  
may sustain by the wrongful or vexatious suing out said Attachment, then the above obligation to be  
void; otherwise to remain in full force and effect.

And we and each of us hereby waive all rights of claims of exemption we or either of us have  
now, or may hereafter have, under the Constitution and Laws of the State of Alabama.

Signed, Sealed, and delivered the date above written.

Knud Jensen (Seal)  
Mrs. Anna Nagels (Seal)  
Samuel DePaola (Seal)  
..... (Seal)

Approved, this 31 day of Dec, 1934

W. A. Stone, Clerk.

# The State of Alabama, }

Baldwin County.

## CIRCUIT COURT AT BAY MINETTE, ALA.

Before me, John Shanon, a Notary Public  
 in and for said County, personally appeared Knud Jensen  
 who, being duly sworn, on oath saith that J. H. Schenk, Individually, and doing  
business as J. H. Schenk Hardware Store, is justly indebted to  
Knud Jensen

in the sum of Three Hundred Eighty (\$380.00) Dollars, which said  
 amount is justly due after allowing all just offsets and discounts, and that the said J. H.  
Schenk, Individually, and doing business as J. H. Schenk Hardware  
Store, is indebted to him for nineteen months rent at \$20.00 per...  
month, on that certain building located on the Foley-Pensacola  
Highway in Elberta, Baldwin County, Alabama, now being occupied by  
the said J. H. Schenk Hardware Store,

and that this Attachment is not sued out for the purpose of vexing or harassing the Defendant, or  
 other improper motive.

Subscribed and sworn to before me this 28 day of December, 1934.

Knud Jensen  
John Shanon  
 Notary Public, Baldwin County,  
 Alabama.

No.

The State of Alabama,

Baldwin County.

CIRCUIT COURT

AT BAY MINETTE, ALA.

KNUD JENSEN,

Plaintiff,

vs.

J. H. SCHENK, INDIVIDUALLY,  
AND DOING BUSINESS AS J. H.  
SCHENK HARDWARE STORE,

Defendant.

Attachment Bond and Affidavit

Filed this the 28 dayof December 1934

Clerk.

Attorney.

Plaintiff,

IN THE CIRCUIT COURT-LAW  
SIDE

STATE OF ALABAMA

-VS-

BALDWIN COUNTY.

J. H. SCHENK, INDIVIDUALLY,  
AND DOING BUSINESS AS J. H.  
SCHENK HARDWARE STORE,

**Defendant.**

Comes the defendant and demurrers to each count hereof severally and separately and signs the following grounds; said counts and each one hereof fails to allege that a demand for payment has been made.

Attorney for Defendant

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RECORDED  
Deck

Filid Perry 19 1935  
Robert L. Deck  
clerk

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# NOTICE OF SHERIFF'S SALE

By virtue of an execution issued out of the Circuit Court of Baldwin County, Alabama, on a Judgement rendered therein against J. H. Schenk, Individually, and doing business as J. H. Schenk Hardware Store, and in favor of Knud Jensen, I, M. H. WILKINS, Sheriff of Baldwin County, Alabama, will sell, to the highest bidder, for cash, in front of the storehouse of J. H. Schenk, Individually, and doing business as J. H. Schenk Hardware Store, in the town of Elberta, Alabama, in said County and State, on the 4th day of March, 1935, within the legal hours of sale, the following described property, to-wit:-

All of the goods, furniture, chattels and effects now located or situated in the building now occupied by J. H. Schenk, Individually, and doing business as J. H. Schenk Hardware Store, or used in connection with the store known as the "J. H. Schenk Hardware Store" in Elberta, Alabama, situated on the Foley-Pensacola Highway in Elberta, Baldwin County, Alabama; as the property of said J. H. Schenk Individually, and doing business as J. H. Schenk Hardware Store.

Dated this 18th day of February, 1935.

M. H. WILKINS, Sheriff of Baldwin County, Alabama. 3-1t.

BAY MINETTE, ALA.

4-2-35

H. Wilkins - Sheriff -  
**BALDWIN TIMES**

D IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$1.50 PER YEAR IN ADVANCE  
ADVERTISING RATES GIVEN ON APPLICATION

Sheriff's Sale -

H. Schenk -

W- 1 1/2 T

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KNUD JENSEN,

Plaintiff,

-VS-

J. H. SCHENK, INDIVIDUALLY,  
AND DOING BUSINESS AS J. H.  
SCHENK HARDWARE STORE,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

TO J. H. SCHENK, INDIVIDUALLY AND DOING BUSINESS AS J. H. SCHENK  
HARDWARE STORE:-

YOU ARE HEREBY NOTIFIED that on, to-wit, December 28,  
1934, Knud Jensen, as Plaintiff, caused to be issued an Attach-  
ment against so much of your Estate as will be of value to satis-  
fy the debt alleged in his Complaint, and said Plaintiff having  
made Affidavit that you are due him the sum of Three Hundred Eighty  
Dollars (\$380.00), and having given Bond in double the amount of  
said debt, I, M. A. Stone, as Clerk of said Court, did, on the  
28 day of December, 1934, issue a Writ of Attachment command-  
ing the Sheriff of said County to levy on so much of your goods,  
furniture and effects as would be of value to satisfy said debt.

AND WHEREAS, on, to-wit, the 28 day of December,  
1934, W. R. Stuart, as Sheriff of Baldwin County, Alabama, did  
levy on the following described property, viz:-

All of your goods, furniture, chattels and effects  
now located or situated in the building now occu-  
pied by you or used in connection with the store  
known as the "J. H. Schenk Hardware Store" in El-  
berta, Alabama, situated on the Foley-Pensacola  
Highway in Elberta, Baldwin County, Alabama.

Witness my hand this 28 day of December, 1934.

M. A. Stone  
Clerk.

RECORDED

NOTICE TO DEFENDANT OF  
ISSUANCE OF WRIT OF ATTACH-  
MENT.

KNUD JENSEN,

Plaintiff,

-VS-

J. H. SCHENK, INDIVIDUALLY,  
AND DOING BUSINESS AS J. H.  
SCHENK HARDWARE STORE,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Issued December 28, 1934

W. A. Stone  
Clerk.

LAW OFFICES  
HYBART, HEARD  
& CHASON  
BAY MINETTE, ALABAMA

Executed 12/29/34 by  
Serving Copy of Writ of  
Notice of writ of  
Attachment on J H  
Schenk Individually  
and doing business  
as J H Schenk Hardware  
Company

W R Stewart  
Sheriff  
by J R Davis  
JD

KNUD JENSEN,

Plaintiff,

-vs-

J. H. SCHENK, INDIVIDUALLY,  
AND DOING BUSINESS AS J. H.  
SCHENK HARDWARE STORE,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:-

WHEREAS, Knud Jensen, the Plaintiff in the above styled cause, hath complained on oath to me, M. A. Stone, as clerk of the Circuit Court of Baldwin County, Alabama, that J. H. Schenk, Individually and doing business as J. H. Schenk Hardware Store, is justly indebted to him in the sum of Three Hundred Eighty Dollars (\$380.00), as rent, and the said Plaintiff 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 J. H. Schenk, Individually and doing business as J. H. Schenk Hardware Store, of Elberta, Alabama, as will be of value to satisfy the said debt and costs according to the Complaint, and such Estate unless replevied so to secure that the same may be liable to further proceedings thereon to be had in the Circuit Court of said County to be held at the Courthouse thereof, when and where you must make known how you have executed this Writ.

Witness my hand and seal of the Clerk of the Circuit Court of Baldwin County, Alabama, on this, the 28 day of December, 1934.

*M. A. Stone*  
Clerk.



Executed 12/29/34 by  
Serving copy of Writ  
Attachment on J. H. Schenk  
Individually and doing  
business as J. H. Schenk  
Hdw Store, and  
attaching the Stock  
of Hardware as  
per list attached  
WR Synt  
Sheriff  
by J. R. Davis  
D.S.

113  
WRIT OF ATTACHMENT.

KNUD JENSEN,

Plaintiff,

-vs-

J. H. SCHENK, INDIVIDUALLY,  
AND DOING BUSINESS AS J. H.  
SCHENK HARDWARE STORE,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Issued December 28, 1934

M. A. Stone  
Clerk.

LAW OFFICES  
HYBART, HEARD  
& CHASON  
BAY MINETTE, ALABAMA

STATE OF ALABAMA,

BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:-

You are hereby commanded to summon J. H. Schenk, Individually, and doing business as J. H. Schenk Hardware Store, 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 Knud Jensen.

Witness my hand this 28<sup>u</sup> day of December, 1934.

W. A. Stone  
Clerk.

COMPLAINT.

KNUD JENSEN,

Plaintiff,

-vs-

J. H. SCHENK, INDIVIDUALLY,  
AND DOING BUSINESS AS J. H.  
SCHENK HARDWARE STORE,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

COUNT 1: Plaintiff claims of the Defendant Three Hundred Eighty & No/100 Dollars (\$380.00) due from him by account on, to-wit, December 28th, 1934.

COUNT 2: Plaintiff further claims of the Defendant the sum of Three Hundred Eighty & No/100 Dollars (\$380.00) due from him on account stated between the Plaintiff and Defendant, on, to-wit, December 28th, 1934.

COUNT 3: Plaintiff further claims of the Defendant Three Hundred Eighty & No/100 Dollars (\$380.00) due from him for rent on that certain property located on the Foley-Pensacola Highway in Elberta, Baldwin County, Alabama, which property is now being occupied by the said Defendant and used by him as a Hardware Store, said rent being in the sum of Twenty Dollars (\$20.00) per month, *for 19 months*

Which sums of money, together with the interest thereon,

(page two)

are still due and unpaid.

Hyatt, Heard & Shero  
Attorney for Plaintiff

An itemized, verified statement  
of the account here sued on is  
attached hereto and made a part  
hereof.

Hyatt, Heard & Shero  
Attorney for Plaintiff.

Elberta, Alabama,

December 28th, 1934.

Due from J. H. Schenk, Individually and doing business as  
J. H. Schenk Hardware Store, Elberta, Alabama, to Knud Jensen,  
Elberta, Alabama:-

Rent on J. H. Schenk Store for June, 1933.....	\$20.00
" " " " " July, 1933.....	20.00
" " " " " August, 1933.....	20.00
" " " " " September, 1933.....	20.00
" " " " " October, 1933.....	20.00
" " " " " November, 1933.....	20.00
" " " " " December, 1933.....	20.00
" " " " " January, 1934.....	20.00
" " " " " February, 1934.....	20.00
" " " " " March, 1934.....	20.00
" " " " " April, 1934.....	20.00
" " " " " May, 1934.....	20.00
" " " " " June, 1934.....	20.00
" " " " " July, 1934.....	20.00
" " " " " August, 1934.....	20.00
" " " " " September, 1934.....	20.00
" " " " " October, 1934.....	20.00
" " " " " November, 1934.....	20.00
" " " " " December, 1934.....	20.00
Total.....	\$380.00

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, the undersigned authority in and for said State and County, personally appeared Knud Jensen, who is known to me, and who, after being by me first duly and legally sworn doth depose and say under oath as follows:-

That he is the Plaintiff in that certain cause wherein Knud Jensen is Plaintiff and J. H. Schenk, individually, and doing business as J. H. Schenk Hardware Store is Defendant; that he has personal knowledge of the account there sued on and that the same is true and correct in all respects, after allowing all just credits thereon.

Knud Jensen

Sworn to and subscribed before me, a Notary Public whose seal is hereto affixed, this 28<sup>th</sup> day of December, 1934.

John P. Mason  
Notary Public, Baldwin County,  
State of Alabama.

113  
SUMMONS & COMPLAINT.

KNUD JENSEN,

Plaintiff,

-VS-

J. H. SCHENK, INDIVIDUALLY,  
AND DOING BUSINESS AS J. H.  
SCHENK HARDWARE STORE,

Defendant.

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

Filed December 28, 1934

W. A. Stuart  
Clerk.

LAW OFFICES  
HYBART, HEARD  
& CHASON  
BAY MINETTE, ALABAMA

RECORDED  
Executed December  
29<sup>th</sup> 1934 by serving  
copy of within summons  
and complaint on  
J. H. Schenk Individually  
and doing business  
as J. H. Schenk Hardware  
Store.

W. R. Stuart Clk  
by J. R. Davis DS