

## Transcript of Civil Cases from Justice's Court of J.B. HUCKABEE, BALDWIN

ATTORNEYS	NAMES OF PARTIES	CAUSE OF ACTION	ITEMIZED BILL OF COST
A.H. Grovatt for plaintiff	ANNA S. COOK vs JACOB STEWART	Unlawful Detainer or ejectment	<b>JUSTICE'S FEES</b> Issuing Summons ..... \$ 50 Issuing ..... Alias Summons ..... 50 Issuing ..... Subpoena for each witness 15 Issuing ..... Execution and Taxing Cost.. 50 Issuing ..... Summons to Garnishee and taking answer ..... 50 Issuing ..... Attachment Writ ..... 50 Attachment Bond and Affidavit ..... 1 50 Garnishment Bond and Affidavit ..... 50 ..... Appeal or Certiorari, including Bond 1 00 ..... <del>4</del> Subpoenas @ 25 ..... 50 1.00 Administering Oath and certifying same. 2 50 1.00 ..... Certificate not otherwise provided for 25 Docketing Cause ..... 10 .10 Judgment on Forthcoming Stay or Replevin or Replevin Bond ..... 50 .75 Judgment on Summary Proceeding ..... 75 Issuing ..... Venire Facias ..... 50 Transcript of Proceeding ..... 50 .50 Attending Trial or Right of Property ..... 1 00 1.00 Sci. Fa. or notice in nature thereof 50 Making Return of Certiorari ..... 50 Notice to Defendant Sheriff... 15 .50 Release ..... 25 Sheriff ..... 34.85 <b>CONSTABLE'S FEES</b> Civil Cases ..... 100 Serving Summons ..... 1.50 Serving ..... Summons on each witness x 25 Serving ..... Garnishment ..... 25 Levying Execution under \$50 00 ..... 1 00 Levying Attachment under \$50.00 ..... 1 00 Making Money, 3 per cent, not less than ... 75 Serving Notice, etc. on each party therein 25 1.50 Serving Sci. Fa. or other like Notice ..... 50 Taking Bail or other Bond ..... 50 \$3.00 Keeping Property Levied on ..... <b>WITNESS' FEES</b> Witness ..... Days ..... 50 Garnishee's Fee .....
	DISPOSITION OF CASE		
	Bond and Affidavit filed 10 day notice to vacate expired January 8th, 1935		
	Summons and Complaint Issued Ret/Sheriff's Notice to defendant to deliver up possession served 1/9/35. Ret/Executed By		
	Defendant's council files counter-affidavit 1/10/35.		
	Case set down for hearing Jan. 16, 1935.		
	After hearing the evidence in the case given		
	by witnesses testimony, the courts awards a		
	judgement in favor of the Plaintiff and against		
	the defendant, this 16th day of Jan. 1935.		
	Defendants council files an appeal and bond		
	is made in the amount of \$250.00, which was ap- proved by Sheriff M. H. Wilkins who now has in his possession said bond.		

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~~RECORDED~~  
Duck

Anna S. Cook

vs.

Jacob Stewart

Filed Jan 26, 1935  
Robert S. Duck

The State of Alabama }  
Baldwin County }

KNOW ALL MEN BY THESE PRESENTS, That we, Jacob Stewart as  
principal and the undersigned as sureties

are held and firmly bound unto M. N. Wilkins

in the sum of One hundred and fifty DOLLARS,

for the payment of which, 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, and we each of us waive our rights to exemption under the Constitution and Laws of Alabama, as against this bond.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound Jacob Stewart

shall prosecute to effect an appeal by him taken this day to the next term of the Circuit  
 Court of Baldwin County, Alabama from a judgment rendered against him in favor of said

by J. B. Luckabee, a Justice of the Peace for said County,

for the possession of lands described in the proceedings Dollars debt,

and and Dollars costs; or, if he fails in said

appeal, shall pay such judgment, both as to damages and costs, as may be rendered against him by the said

Circuit Court of Baldwin County, Alabama, then, in either of said

events, this obligation to be void, otherwise to remain in full force and effect.

Given under our hands and seals, this the 16 day of January 1921

Jacob Stewart (L. S.)

D. L. Arthur (L. S.)

Orrie Stewart (L. S.)

APPROVED:

(L. S.)

Justice of the Peace.

**The State of Alabama,**  
Baldwin County

To Jacob Stewart and R. H. Long:

You are hereby directed and commanded to deliver to Anna S. Cook

full and quiet possession of the lands hereinafter described, with the improvements thereon, to-wit:

Southwest quarter of the Northwest quarter, less five acres to  
John Styrton, all in Section twenty three (23). Also the West half  
of the Northwest quarter, less three acres to Eli Steiner, of  
Section twenty six (26). Said land being in Township eight (8)  
South, Range three (3) East, in Baldwin County, Alabama.

Unless such possession is delivered, I will, as Sheriff, after the expiration of three (3) days hereafter,

proceed with the execution of the Writ or Process issued out of the Justice Court of .....

J. B. Huokabee....., Justice of the Peace, Beat 14 ....., Baldwin County, Alabama,

and in accordance therewith remove you and your property from the said premises.

W. R. Stuart  
Sheriff, Baldwin County, Ala.

By John R Davis

I have executed the  
within writ by leaving  
a copy with Jacob Stewart  
and R. H. Long this the  
9<sup>th</sup> day of Jan 1935  
W. R. Stuart - Sheriff  
By John R Davis  
D.S.

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~~RECORDED~~  
SEARCHED

SHERIFF'S NOTICE  
to  
DEFENDANT

Anna S. Cook, Plaintiff

Vs.

Jacob Stewart, Defendant

Filed Jan. 26, 1935  
Robert S. Duck

ANNA S. COOK,

Plaintiff,

VS.

JACOB STEWART, ET AL,

Defendants.

THE JUSTICE COURT OF J. B.

HUCKABEE, JUSTICE OF PEACE,

BEAT NO. 14

BALDWIN COUNTY, ALABAMA.

Before me the undersigned authority in and for Baldwin County, Alabama, personally appeared JACOB STEWART, who is known to me and who having been by me first duly sworn, deposes and says that he is in the actual possession of the following described lands in Baldwin County, Alabama, to-wit:

The Southwest quarter of the Southwest quarter, less five acres to John Styron, all in Section Twenty three (23), also the West half of the Northwest quarter, less three acres to Eli Steiner, of Section Twenty six (26), said land being in Township Eight (8) South, Range Three (3) East, in Baldwin County, Alabama;

that he purchased the same from ANNA S. COOK by oral contract; that he paid a part of the consideration and the said ANNA S. COOK placed him in the possession of said lands; that since that time he has build a house, barn, and other houses, fences, and cleared a part of the land; that he has advised the said ANNA S. COOK that he is ready, able and willing to comply with the terms of the contract, but that the said ANNA S. COOK refuses to comply on her part; that he is holding the said property as purchaser and owner, and not on any lease, and that he is justly entitled to the possession of said property under his contract of purchase, and that his rights in and to said land have not expired or terminated, nor has his right of possession been forfeited; that he has a good and lawful right to the possession of said premises under his contract of purchase.

Jacob Stewart

Sworn to and subscribed before  
me this 10th day of January, 1935.

Notary Public, Baldwin Co. Ala.

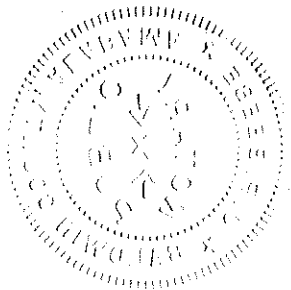
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COPY

Anna S Cook

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Jacob Stewart



Filed Jan 29, 1935  
Robert S. Duck

ANNA S. COOK,  
Plaintiff,  
VS.

JACOB STEWART, ET AL,  
Defendants.

THE JUSTICE COURT OF J. B.  
HUCKABEE, JUSTICE OF PEACE,  
BEAT NO. 14  
BALDWIN COUNTY, ALABAMA.

Before me the undersigned authority in and for Baldwin County, Alabama, personally appeared JACOB STEWART, who is known to me and who having been by me first duly sworn, deposes and says that he is in the actual possession of the following described lands in Baldwin County, Alabama, to-wit:

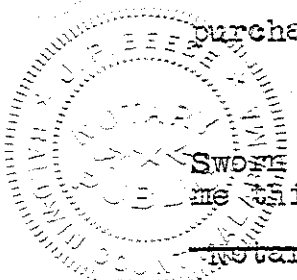
The Southwest quarter of the Southwest quarter, less five acres to John Styron, all in Section Twenty three (23), also the West half of the Northwest quarter, less three acres to Eli Steiner, of Section Twenty six (26), said land being in Township Eight (8) South, Range Three (3) East, in Baldwin County, Alabama;

that he purchased the same from ANNA S. COOK by oral contract; that he paid a part of the consideration and the said ANNA S. COOK placed him in the possession of said lands; that since that time he has built a house, barn, and other houses, fences, and cleared a part of the land; that he has advised the said ANNA S. COOK that he is ready, able and willing to comply with the terms of the contract, but that the said ANNA S. COOK refuses to comply on her part; that he is holding the said property as purchaser and owner, and not on any lease, and that he is justly entitled to the possession of said property under his contract of purchase, and that his rights in and to said land have not expired or terminated, nor has his right of possession been forfeited; that he has a good and lawful right to the possession of said premises under his contract of purchase.

*Jacob Stewart*

Sworn to and subscribed before  
me this 10th day of January, 1935.

*J. P. Smith*  
Notary Public, Baldwin Co. Ala.





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RECORDED  
INDEXED

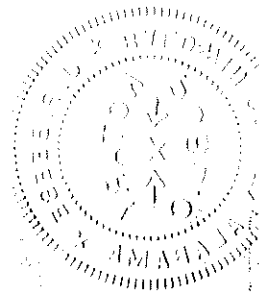
Anna S. Cook

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Jacob Stewart

Filed Jan. 26, 1935

Robert S. Duck



The State of Alabama, {  
Baldwin County

Before me J. B. Buckabee, a justice of the peace

in and for Beat, 14, Baldwin County, Alabama, personally appeared

Anna S. Cook, who having been by me first duly and legally sworn

deposes and says: My name is Anna S. Cook I am the owner of the lands

hereinafter described, with the improvements thereon. All Jacob Stewart and R. H. Long's  
their rights to said property and his rights to the possession thereof have determined and been forfeited.

I have given the said Jacob Stewart & R. H. Long notice to vacate said property but  
he has failed or refused to deliver possession demanded.

The said lands being described as follows, to-wit:

Southwest quarter of the southwest quarter, less five acres to John Styron,  
all in Section twenty three (23). Also the west half of the Northwest  
quarter, less three acres to Eli Steiner, of Section twenty six (26).  
said land being in Township eight (8) South, Range three (3) East,  
in Baldwin County, Alabama.

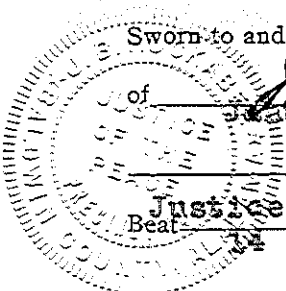
Anna S Cook

Owner or Agent.

Sworn to and Subscribed before me this the 8th day

of January 1935.

J. B. Buckabee  
Justice of the Peace,  
Beat 14, Baldwin County, Alabama.



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RECORDED  
Cook

AFFIDAVIT OF OWNER,  
HIS AGENT OR ATTORNEY

Anna S Cook, Plaintiff

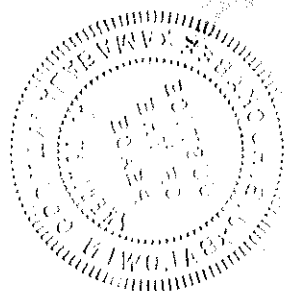
Vs.

Jacob Stewart, Defendant

Filed Jan 26, 1935

Robert S. Duck  
att. by

MOORE PRINTING CO., BAY MINETTE, ALA.



ANNIE S. COOK,

Plaintiff,

VS.

JACOB STEWART AND R. H.  
LONG,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW. NO. 122.

Comes the Plaintiff in the above entitled cause and moves the Court to require the Defendants to give a good and sufficient appeal bond in this said cause within some reasonable time to be prescribed by the Court, and if said bond is not given within such time , to dismiss the Defendants appeal in said cause which was appealed from the Justice Court of J. B. Huckabee, and assigns as grounds therefor, the following separate and several reasons, to-wit:

1. Because there is no appeal bond in said cause.
2. Because the Defendants have made no appeal bond in said cause.
3. Because the appeal bond in said cause is insufficient.
4. Because the appeal bond in said cause is insufficient in that it was not approved by the Justice of Peace who tried the case.

  
Attorney for Plaintiff.

MOTION TO DISMISS APPEAL.

ANNIE S. COOK,

Plaintiff,

VS.

JACOB STEWART AND R. H. LONG,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NO. 122.

Filed on this the 20 day of Aug-  
ust, 1935.

*Robert L. Duck*  
*clerk*

J. B. BLACKBURN  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA