

Circuit Court, Baldwin County

130

#130

R. H. Agerton

vs.

R. L. McEnany

PLAINTIFF

DEFENDANT

BILL OF COST

CLERK'S FEES		Dollars	Cts.	AMOUNT BROUGHT FORWARD		\$	Cts.
Issuing Summons and Complaint	\$1 25			Transcript to Supreme Court, 15c per hundred words			
Copies of same, when over 200 words, 15c per 100	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			Certificate with Seal, 50c. Without Seal	25		
Docketing Cause 25c. Ent. Appearance, 20c	45		25	Witness Certificate	25		
Subpoena for Witness	30			Taking Bond Not Above Mentioned	75		
Making Certificate of Judgment	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		30	Filing Writ of Prohibition and Entering Return	15		
Issuing Execution	50			Issuing Writ of Prohibition	75		
Docketing Execution	25			Issuing copies of same, 15c per 100 words			
Issuing copy of same	50			Filing Mandamus and Entering Return	15		
Entering Sheriff's Return on Execution, 15c per hundred words	20		1 50	Issuing Writ of Mandamus	75		
Final Record, 15c per hundred words	30			Issuing copies of same, 15c per 100 words			
Order for Alias Summons and Complaint	30			Total Clerk's Fees			
Order to Dismiss Cause	30			SHERIFF'S FEES			
Order to Set Aside Dismissal	30			Serving and Returning Summons	\$1 50		
Order Overruling Motion to Set Aside Dismissal	75			Serving and Returning Subpoenas	65		
Order Granting New Trial	30			Collecting Execution for Costs	1 50		
Order Overruling Motion for New Trial	30			Serving and Returning Sci. Fa. Notice, etc.	65		
Order Overruling Motion for Continuance	30			Executing Writ of Possession	2 50		
Order Overruling Motion to Set Aside Default	30			Levying Attachment	3 00		
Order for Notice to Non-Resident Defendant	30			Entering and Returning Attachment	25		
Issuing Notice for Publication and Copy 20c per hundred words	30			Entering and Returning Execution	25		
Order to Give Security for Costs	30			Summoning and Returning Garnishee	1 50		
Order to Give Additional Bond	30			Taking and Approving Garnishee Bond	75		
Order to Execute Writ of Inquiry	30			Serving and Returning Writs	1 50		
Order of Sale in Attachment	30			Serving and Returning Summons on Forcible Entry	1 00		
Order for Leave to Amend Complaint	30			Executing Writ of Restitution in such cases	2 00		
Order for Leave to Amend Pleas	30			Taking and Approving Bonds of Every Kind	1 00		
Order for Leave to Amend Writ of Process	30			Taking and Approving Claim Bond	1 00		
Order for Attachment for Witness	30			Taking and Approving Forthcoming Bond	1 00		
Filing Deposition	10			Taking and Approving Bail Bond	1 00		
Issuing Commission to Take Deposition	75			Taking and Approving Plaintiff's Detinue Bond	1 00		
Issuing copy of same, per hundred words	15			Taking and Approving Defendant's Detinue Bond	1 00		
Issuing Copy of Interrogatories, 15c per hundred words, but not less than	50			Making Deed	2 50		
Endorsing each Pet. Deposition Opened	10			Serving Attachment for Contempt of Court	1 50		
Taking Bond in Garnishment on Summons	75			Collecting Money on Execution			
Summons to Garnishee	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			Seizing Personal Property on Writ of Detinue	3 00		
Swearing Garnishee and Recording Answer, 15c per hundred words, but not less than	50			Total Sheriff's Fees			
Filing Attachment	10			RECAPITULATION			
Issuing Attachment Writ and Taking Bond	1 00			Judgment			
Issuing Copies of Attachment Writ, 15c per hundred words				Interest			
Filing Certiorari and Entering Return	15			Clerk's Fees			2 90
Taking Certiorari Bond and Filing Same	75			Sheriff's Fees			3 60
Issuing Writ of Certiorari	75			Justice's Fees			4 50
Issuing copies of same, 15c per 100 words				Constable's Fees			
Issuing Writ of Scieri Facias, or Notice in Nature of	75			Witnesses' Fees			
Issuing copies of same, 15c per 100 words				Commissioners' Fees			
Taking Supersedeas Bond and Filing same	75			Printer's Fees			
Taking Appeal Bond and Filing same	75			Stenographer's Fees	5 00		
TOTAL FORWARDED		2	90	Answer of Garnishee			
				Trial Tax	3 00		
				Total	\$	11	50

Aug 22. 1935

Received payment this _____ day of _____ 193_____

ATTEST

Clerk Circuit Court, Baldwin County, Ala.

8/21/25- Settled between parties - 1-
Chasen for P.L.F.

Becke for Deft -

J.M. Franklin

, Baldwin County, Ala.

ATTORNEYS	NAMES OF PARTIES	CAUSE OF ACTION	ITEMIZED BILL OF COSTS	
John Chason	R.H. Agerton		JUSTICE'S FEES	
	V-S	For feed and care of cattle	Issuing Summons	\$ 50 50
	R.L. McEnroe		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 50
			Attachment Bond and Affidavit	1 50 1 50
			Garnishment Bond and Affidavit	50
			 Appeal or Certiorari, including Bond	1 00 1 00
			 Bond	50
			Administering Oath and Certifying Same	25
			 Certificate not otherwise provided for	25
			Docketing Cause	10 10
			Judgment on Forthcoming Stay or Replevin Bond ..	50
			Judgment on Summary Proceeding	75
			Issuing Venire Facias	50
			Transcript of Proceeding	50
			Attending Trial or Right of Property	1 00
			 Sci. Fa. or notice in nature thereof	50
			Making Return of Certiorari	50
			 Notice to Defendant	15
			Release	25
			Sheriff's Constable's Fees	\$3 60
			Serving Summons	1 00 1 50
			Serving Summons on Each Witness	25
			Serving Garnishment	25
			Levying Attachment under \$50.00	1 00 3 00
			Levying Execution under \$50.00	1 00
			Making Money, 3 per cent, not less than	75 \$ 4 50
			Serving Notice, etc, on each party therein ..	25
			Serving Sci Fa. or other like Notice	50
			Taking Bail or other Bond	50
			Keeping Property Levied on	
			WITNESS' FEES	
			 Witness Days	50
			Garnishee's Fee	

DISPOSITION OF CASE

Bond and Affidavit Filed. 19th day March 1935

Summons and Complaint Issued ret. March 19th 1935

Ret. executed by M.H. Wilkins, Sheriff

March 23rd 1935

Judgement for plaintiff and against the defendant for Fifty dollars and cost.

Proprty attached ordered condemned

and sold to satisfy judgement and cost.

Plaintiff demands trial by jury.

J.M. Franklin

N.P. Ex-O, J.P

To the Clerk of the Circuit Court of Baldwin County:

I hereby certify that the foregoing is a full, complete, and exact transcript from my docket of the judgment and proceedings in the above cause, and I herewith send to the Clerk of the Circuit Court of Baldwin County, Alabama, all the original and other papers pertaining to said cause.

Given under my hand this 27th day of March 1935

J. M. Franklin ^{R.P.E.} Justice of the Peace.

Frank

The State of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings :

Summon E. J. McFarree

to appear before me on the 23rd day of March, 1935, next at my office
in Baldwin County, Alabama, to answer the complaint of
W. E. Gorton
and then and there make a return of this summons.

Issued the 10th day of March 1955

J. M. Granville
Justice of Peace.

COMPLAINT

E. E. Egerton

Plaintiff.

vs.

M. J. Holmes

Defendant.

The Plaintiff claims of the Defendant the sum of Fifty and 30/100 Dollars

Two for feed and care of cattle for the past thirty months which amount to still one and unpaid

Plaintiff's Attorney.

Original
RECORDED
and

No. _____ Page _____

THE STATE OF ALABAMA,
Baldwin County.

IN THE JUSTICE COURT OF

J. M. Franklin

March _____ Term, 1935...

SUMMONS and COMPLAINT

R. H. Agerton

Plaintiff....

Vs.

R. L. McEnroe

Defendant....

The Defendant is hereby notified that Writ of
~~attachment~~
Garnishment has been served on

R. L. McEnroe

J. M. Franklin N. P. 1179 J. P.

Location

Executed by personal service and notice of

~~Garnishment~~ Attachment

served on *R. L. McEnroe*

this *19th* day of *March* 193*5*

M. H. Williams Sheriff
~~Constable~~

By D. C.

THE STATE OF ALABAMA
BALDWIN COUNTY

IN JUSTICE COURT OF

J.M. Franklin

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETING:

R.H. Agertonhaving complained on oath before me. J.M. Franklin, N.P. Ex-O. J.P.a Justice of the Peace in and for Precinct No. 4 Baldwin County, Alabama, thatR.L. McEnroeis justly indebted to him in the sum of Fifty and No/100 dollars(\$50.00-----) Dollars, and has made affidavit and given bond as required by law; you arehereby commanded to attach ~~so much of the estate of~~ five head of cattle as follows:--

One red white faced cow, one dark white faced cow, two dark colored yearlings
and white red side calf, all unmarked
as will be of value sufficient to satisfy the complaint and costs; and such estate, unless replevied you
will so secure that the same may be liable to further proceedings thereon, to be had before me on the

23rd day of March 1935, at my office at The court house
at Bayminette, Alabama, when and where you must make return
how you have executed this writ.

Witness my hand this the 19th day of March 1935

J.M. Franklin
N.P. EX-Justice of Peace,

Precinct 4 Baldwin County, Ala.

Original

RECORDED
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WRIT OF ATTACHMENT

H. H. Agoston

Plaintiff

VS

J. M. Franklin

Defendant

JUSTICE COURT OF

J. M. Franklin

at

Alabama.

Issued 19th day of APRIL 1935

J. M. Franklin
Justice of Peace.

MOORE PRINTING CO., BAY MINETTE, ALA.

Executed by
Serving copy of
within writ of
attachment on
R. L. McElise and
taking into my
possession five
head of cattle

described as follows
one red white faced
cow, one dark white
faced cow, Two dark
colored heifer yearlings
& one white red side
heifer calf.

M. H. Wilkins
Shriff

By

DS

March 19th 1935

STATE OF ALABAMA

BALDWIN COUNTY.

We, M. L. McEurel,

and The undersigned

are bound unto R. H. Agerton in the sum of one

hundred & fifty dollars, for the payment of which we jointly and severally bind ourselves, our heirs, executors, and administrators. Sealed with our seals, and dated the 27th day of March, 1935.

The condition of the above obligation is such that, on the 23 day of March, 1935, J. F. Franklin, a justice of the peace in and for said county, rendered a judgment in favor of the said R. H. Agerton, against the said M. L. McEurel, for the sum of Fifty dollars, debt and Eight and 10/100 dollars, costs, from which judgment the said M. L. McEurel has applied for and obtained an appeal to the April term of the Circuit court of Baldwin Co.; if the said M. L. McEurel shall prosecute said appeal to effect, or, if he fail in said appeal, shall pay such judgment, both as to debt and costs, as may be rendered against him by the said Circuit court of Baldwin Co., then in either of said events, this obligation to be void, otherwise to remain in full force and effect.

Taken and approved this 27th day of March, 1935.

J. M. Franklin
Notary public Ex-O-Justice Peace.

M. L. McEurel (SEAL)

John A. Ault (SEAL)

Mrs. J. L. Phillips (SEAL)

The State of Alabama {

Baldwin County

Before me, J.M. Franklin, N.P. Ex-O, a Justice of the Peace in and for
said county personally appeared R.H. Agerton
who being duly sworn, says that That M.L. McEnroe is
justly indebted to him
in the sum of Fifty dollars and No/100 DOLLARS
after allowing all just offsets and discounts, and the said amount is for feed and care...

That the Plaintiff is owner of six head of cattle for since 1932. 3600 plane in Baldwin Co. Ala near Bay Minette. That he has released 4 head of cattle which were turned over to him by M.L. McEnroe at this time to work for grazing purposes. That the debt is due for said cattle which were released. That the debt is due for said cattle which were released.
and that this attachment is not sued out by him for the purpose of vexing or harassing the said Defendant.

Sworn to and subscribed before me this
19th day of March A. D., 1935.

R.H. Agerton

J.M. Franklin N.P. Ex-O-J. P.

STATE OF ALABAMA, {
Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, R.H. Agerton

and the undersigned

are held and firmly bound unto M.L. McEnroe

in the sum of one hundred and No/100 DOLLARS

to be paid unto the said M.L. McEnroe

heirs, executors, administrators or assigns for which payment, well and truly to be made, we bind ourselves and each of us, our heirs, executors, jointly and severally, firmly by these presents. And the right of exemption under the Constitution and Laws of Alabama is hereby waived as to this Bond.

Sealed with our seals and dated this 19th day of March 1935

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas the above bound

R.H. Agerton

has on the day of the date hereof, prayed an attachment at the suit of Attachment

for the sum of Fifty and No/100 DOLLARS

and has obtained the same, returnable before me at my office, on the 25th day of March 1935.

Now, if the said plaintiff shall prosecute said Attachment to effect and pay the said Defendant all such damages as He may sustain by the wrongful or vexatious suing out of said Attachment, the above obligation to be void; otherwise to remain in full force and effect.

Approved this 19th
day of March 1935.
J.M. Franklin N.P. Ex-O-J. P.

R.H. Agerton (Seal)
W.R. Stuart (Seal)
L. L. L... (Seal)

RECORDED
back

The State of Alabama,
Baldwin County.

\$100.00-----

(Double the amount sworn to be due)

JUSTICE COURT OF

J.M. Franklin

March-----Term, 1935

Attachment Affidavit and Bond

R.H. Agerton

-----, Plaintiff

Vs.

M.L. McEnroe

-----, Defendant

Filed 19th day of March-----1935