

STATE OF ALABAMA.

BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS, that we, M. L. McENROE, as Principal, and C. M. Sees and A. L. Merrifield, as sureties, are held and firmly bound unto R. H. AGERTON in the sum of ONE HUNDRED (\$100.00) DOLLARS, for the payment whereof we bind ourselves, our heirs, executors and administrators, jointly and severally.

Given under our hands and seals, the 19 day of March, 1935.

The condition is this, Whereas a writ of attachment issued out of the Justice Court of Hon. J. M. Franklin, Precinct 4, Baldwin County, Alabama, at the suit of R. H. Agerton against the estate of M. L. McEnroe, returnable to the next term of the said Justice Court of said County, to be held at his office on the 23rd day of March, 1935, has been placed in the hands of M. H. Wilkins, Sheriff of Baldwin County, Alabama, and by him has been levied upon the following personal property, to-wit:

One red white face cow; one dark colored white face cow; two dark colored heifer yearlings; one white with red sides heifer yearling, all unmarked;

And whereas, the said property has been delivered to M. L. McEnroe on his entering into this;

NOW, if the defendant shall fail in the action, and the said M. L. McEnroe, C. M. Sees and A. L. Merrifield, sureties, will return to the Sheriff of said County the specific property attached and above mentioned, within thirty days after judgment in said suit, then this obligation to be void, otherwise to remain in full force and effect.

And we hereby waive the benefit of all laws exempting property from levy and sale under execution or other process for the collection of debt, by the constitution and laws of Alabama, and we hereby severally certify that we have property free from all incumbrance

to the full amount of the above bond.

J. M. L. M. C. E. M. W. (SEAL)

J. W. A. L. (SEAL)

A. L. E. M. W. I. L. D. (SEAL)

R. L. E. M. W.

Approved this the 10th day of
March, 1935.

M. H. Wilkins
Sheriff

J. M. Franklin

_____, Baldwin County, Ala.

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 22nd day of March

1935

J. M. Franklin Justice of the Peace.

The Court - He argues the
jury that if you believe
the evidence you must
find for the defendant -

Given
F. W. Hale
Judge

Quebec Brunswick

Jury List, First Week, April 12, 1937.

- ~~1 Henry E. Peterson, Farmer, Gateswood~~ P2
- ~~2 George W. Pittman, Farmer, Gateswood~~ P1
- 3 Chester Nelson, Farmer, Point Clear
- ~~4 Willie Dana, Fisherman, Point Clear~~ P9
- ~~5 Charles E. Taylor, Farmer, Bay Minette~~ 58
- 6 Americo Allegri, Farmer, Daphne
- 7 John Nelson, Oysterman, Bon Secour
- 8 Mac Aylin, Forester, Bay Minette
- ~~9 Robert E. Lawson, Produce, Bay Minette~~ 29
- ~~10 Virgil O. McMillan, Naval Stores, Bay Minette~~ P6
- 11 William Canaan, Merchant, Loxley
- ~~12 Roy Sandbrook, Contractor, Robertsdale~~ P5
- ~~13 Blaine G. Dickman, Salesman, Bay Minette~~ 05
- ~~14 Christian Haupt, Farmer, Robertsdale~~ 22
- ~~15 Fred Seibert, Farmer, Elberta~~ 56
- 16 Eddie L. Hiles, Mechanic, Loxley
- ~~17 John E. Lindberg, Farmer, Summerdale~~ P7
- ~~18 Wheeler M. Tunstall, Dairyman, Daphne~~ 38
- ~~19 J. Bruce Beverage, Merchant, Bay Minette~~ 44
- ~~20 Frank Eubanks, Carpenter, Bay Minette~~ P3
- ~~21 Frank T. Peterson, Farmer, Gateswood~~ P4
- ~~22 Durward Stapleton, Farmer, Loxley~~
- 23 George Edward Bryant, Farmer, Stockton
- 24 Paul McMillan, Mechanic, Stockton
- 25 Homer C. Russel, Clerk, Foley
- 26 Frank Propst, Cattleman, Bay Minette
- ~~27 J. Matt Broadus, Painter, Bay Minette~~ 21
- 28 John Miller, Oysterman, Bon Secour
- ~~29 Adrian Ray, Mechanic, Bay Minette~~ 57
- 30 George Yarbrough, Sr., Forester, Bay Minette
- 31 John Lewis, Laborer, Robertsdale

30

12

18

(5)

P9 / IIII
L9 / IIII

2 2 8 87
2 2 9

STATE OF ALABAMA
BALDWIN COUNTY.

TO ANY LAWFUL OFFICER OF THE COUNTY OF BALDWIN:

21st day of March next, at 10 A. M. to answer the complaint of LONNIE DUCK and there make return of this summons.

Witness my hand and seal on this _____ day of March, 1935.

D. M. Franklin
Justice of Peace.

LONNIE DUCK,
Plaintiff,

VS.

J. M. BLACKMAN,
Defendant.

IN THE JUSTICE COURT OF
J. M. FRANKLIN, BEAT 4,
BAY MINETTE, ALABAMA.

ONE:

The Plaintiff claims of the Defendant Fifty (\$50.00) Dollars damages, for that, heretofore on to-wit, January 31st ~~February 2nd~~, 1935, the Defendant did wrongfully shoot and kill a dog, the property of the Plaintiff of the value, of to-wit, \$50.00.

TWO:

The Plaintiff claims of the Defendant Fifty (\$50.00) Dollars damages, for that, heretofore on to-wit, January 31st ~~February 2nd~~, 1935, the Defendant did willfully and intentionally shoot and kill a dog, the property of the Plaintiff, of the value of to-wit, \$50.00.

Beebe & Sale
Attorneys for Plaintiff.

M. H. Wilkens Sheriff
By C. V. Anderson Deputy Sheriff

J.M.B. **RECORDED**
Buck

LONNIE DUCK,
Plaintiff,
VS.
J. M. BLACKMAN,
Defendant.

IN THE JUSTICE COURT OF
J. M. FRANKLIN, BEAT 4,
BAY MINETTE, ALABAMA.

SUMMONS AND COMPLAINT.

Filed 14th day of March, 1935,
J. M. Grantham
 Justice of Peace.

[Handwritten signature]

My dear friend —

LONNIE DUCK,

Plaintiff,

-vs-

J. M. BLACKMAN,

Defendant.

IN THE CIRCUIT COURT--AT LAW

STATE OF ALABAMA

BALDWIN COUNTY.

For further plea to the Complaint the Defendant says:-

3rd. That he denies the allegations of the Complaint.

4th. That at the time that it is alleged that Defendant killed Plaintiff's dog, said dog was in the act of killing a sheep of the Defendant's on Defendant's premises, and that Defendant had reasonable cause to believe that a necessity existed to kill said dog to prevent the killing of the said sheep, or to save said sheep from serious bodily damage.

Hyatt & Mason
Attorneys for Defendant.

RECORDED
such
8-51

P L E A.

LONNIE DUCK,

Plaintiff,

-vs-

J. M. BLACKMAN,

Defendant.

IN THE CIRCUIT COURT-AT LAW

STATE OF ALABAMA

BALDWIN COUNTY.

Filed September 16, 1936

R. S. Duck
Clerk.

The State of Alabama, BALDWIN County

JUSTICE ~~COUNTY~~ COURT, March 22nd Term, 1935

KNOW ALL MEN BY THESE PRESENTS, That we, J.M. Blackman and the undersigned

, are held and firmly bound unto the State of Alabama, in the sum of One hundred and No/100----- Dollars for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents.

Witness our hands and seals, this the _____ day of _____ 1935

The Condition of the above obligation is such, That, whereas, the above bounden _____

J.M. Blackman was, on the 22nd day of March 1935

convicted in the ~~Court~~ ^{Justice court} of the offense of killing a dog the property of

Lonnie Duck for which a judgement was taken against J.M. Blackman ~~for~~ for fifty dollars and cost

and by the judgment of said Court ~~sentenced to~~ the defendant takes appeal to the circuit court

And, whereas, the said J.M. Blackman has this day prayed an appeal from said judgment to the Circuit Court of said County:

Now, if the said J.M. Blackman shall appear at the next term of the Circuit Court, and from term to term thereafter until discharged, and abide by and perform whatever sentence may be adjudged in said Court against him, then the above obligation to be void; otherwise to remain in full force and effect.

Approved This the 27th day of March 1935.

J. M. Faulkner
N. P. Justice ~~County Court Judge~~ of peace

Wit Bessie Long
x J. M. Blackman (L. S.)
x A. M. L. (L. S.)
x L. S. (L. S.)
J. M. Blackman (L. S.)
Mrs. J. A. P. J.
Chora Blackman

~~RECORDED~~
Duck

The State of Alabama

BALDWIN

County

Justice
~~COUNTY~~ COURT

THE STATE

vs.

J.M.Blackman

APPEAL BOND

SURETIES

Filed in the office of the Clerk of the Circuit

Court _____ day of

_____, 193_____

Clerk

Lonnie Duck
Plaintiff -

Vs

J.E. Blackman,
Defendant -

Circuit Court,

Baldwin County, Alabama.

AT LAW

1. Comes the defendant and for answer to the complaint and to each count thereof says that he is not guilty of the matters alleged therein.
2. And for further answer to the said complaint and to each count thereof the defendant alleges that when and at the time of his act as complained of by the plaintiff, the plaintiff's said dog had by the throat with his teeth one of the defendant's sheep which with the dog was on the premises of the defendant and that it reasonably appeared to the defendant to be necessary to shoot the dog in order to save the life of his sheep or to save the sheep from serious bodily harm, and that the defendant honestly believed that such necessity existed then and there.


Attorney for Defendant.

RECORDED
Duck
8-51

Lonnie Duck,

Vs

J.M. Blackman -

Pleas.

Filed Sept. 14, 1936

R. S. Duck
Clark