

CERTIFICATE OF JUDGMENT

171

The State of Alabama, }
Baldwin County

Circuit Court, August Term, 19 35

James Volovecky

PLAINTIFF.

Vs.

Baldwin County Farmers Union Co-Operative, A Corporation,

and Baldwin County Farmers Union Local No. 41.

DEFENDANT.

I, Robert S. Duck,, Clerk of the Circuit Court of Baldwin County,

Alabama, do hereby certify that on the 20th day of August 19 35,

a Judgment was rendered by said Court in the above stated cause, wherein

James Volovecky,

was Plaintiff and Baldwin County Farmers Union Co-operative, a corporation,

and Baldwin County Farmers Union Local No. 41. was Defendant, in

favor of the said Plaintiff and against the said Defendant for the sum of (\$528.35)

Five Hundred Twenty-eight and 85/100 DOLLARS,

and for the sum of (\$12.95) Twelve and ninety-five /100 DOLLARS,

the costs in said suit and that BEER & HALL

are the Attorneys of record for the Plaintiff
in said cause.

Witness my hand this 21st day of August 19 35

Clerk, Circuit Court, Baldwin County, Alabama.

STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon BALDWIN COUNTY FARMERS UNION CO-OPERATIVE, A Corporation, and BALDWIN COUNTY FARMERS UNION LOCAL NO. 41 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 JAMES VOLOVECKY.

WITNESS my hand this 8 day of July, 1935.

Robert L. Welch
Clerk.

JAMES VOLOVECKY,
Plaintiff,

VS.

BALDWIN COUNTY FARMERS
UNION CO-OPERATIVE, A
Corporation, and BALDWIN
COUNTY FARMERS UNION
LOCAL NO. 41, a Corporation,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW.

ONE:

The Plaintiff claims of the Defendant Five Hundred Nine-
teen and 78/100 (\$519.78) Dollars, balance due from them by account
on to-wit, June 10th, 1935.

TWO:

The Plaintiff claims of the Defendant the further sum of
Five Hundred Nineteen and 78/100 (\$519.78) Dollars, balance due on
account stated between the Plaintiff and Defendant, on to-wit, the
10th day of June, 1935.

THREE:

The Plaintiff claims of the Defendant the further and ad-

ditional sum of Five Hundred Nineteen and 78/100 (\$519.78) Dollars,
balance due for merchandise, goods and chattels sold by the Plaintiff
to the Defendants, on to-wit, May 15th, 1935, to June 10th, 1935,

~~Which sums of money, with the interest thereon, are still~~
due and unpaid.

Beebe & Stace
Attorneys for Plaintiff.

Rec. in office
7/8/35
M. H. Wilkins
D-35 Sheriff

RECORDED

Executed July 15 1935
by serving copy of within Summons and
Complaint on

V. D. Connor
and A. F. Wesley
+ Director &
Business Agent
M. H. Wilkins
by E. V. Anderson Deputy Sheriff

RECORDED

JAMES VOLOVECKY,

Plaintiff,

VS.

BALDWIN COUNTY FARMERS
UNION CO-OPERATIVE, a
Corporation, and BALDWIN
COUNTY FARMERS UNION LOCAL
NO. 41,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

SUMMONS AND COMPLAINT

Filed this 8 day of July,
1935.

Robert L. Hugg

MOTION FOR NEW TRIAL

JAMES VOLOVECKY,

Plaintiff,

VS

BALDWIN COUNTY FARMERS UNION
CO-OPERATIVE , and

BALDWIN COUNTY FARMER'S UNION
LOCAL # 41

Defendants.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY , ALABAMA

IN LAW # 171.

Comes now the Defendant the Baldwin County Farmers Union , Local # 41, in the above entitled casue of action and shows to the Court that service in the above entitled cause was obtained by service on one M. F. Wesley, an official of the Baldwin County Farmer's Union Co-Operative and also an official of the Baldwin County Farmers Union Local # 41, and further that the said M. F. Wesley believing this only pertained to the Baldwin County Farmers Union Co-Operative, never notified Local # 41 of this service and they were there by denied the right to defend their interest in open court.

And further baseing our contention upon the following grounds we ask this Honorable Court to grant our Motion for a new trial.

FIRST: Local # 41 was taken by surprise, as they never knew of the Suit until after Judgment was obtained.

SECOND: The judgment is excessive as Local #41, does not owe the Plaintiff any amount of money.

THIRD: The verdict is not sustained by the great preponderance of the evidence.

FOURTH: Newly discovered evidence that could not have been produced with reasonable diligence , at previous hearing , which is material for this defendant applying for this motion.

Wherefore the Defendant the Baldwin County Farmer's Union Local # 41, moves that this Honorable Court grant us a new trial in this cause.

James Rada, Vice Pres.

BALDWIN COUNTY FARMERS UNION
LOCAL # 41.

Orvis M. Brown

Orvis M. Brown, Attorney for
Baldwin County Farmers Union,
Local # 41.

State of Alabama

County of Baldwin

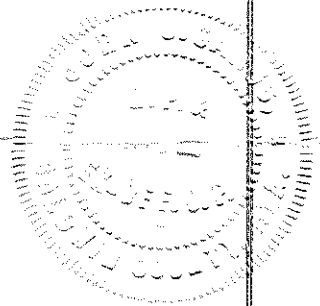
Before me, the undersigned authority, personally
appeared James Rada, who being by me first
duly sworn, says that he is Vice President of the
Baldwin County Farmers Union Local # 41, and is authorized
to make this affidavit; that he has personal knowledge of the
correctness of this Motion, or the substance thereof, that the
foregoing statements are true, and correct.

James Rada, Vice Pres.

Sworn to and subscribed before me on the
17th day of September, 1935, A.D..

John L. Gamm
Notary Public.

My commission expires March 26, 1936



RECORDED
Motion 48

RECORDED

10/15/37
272

MOTION FOR NEW TRIAL

AT LAW #171

JAMES VOLOVECKY,

Plaintiff,

VS

BALDWIN COUNTY FARMERS UNION
CO-OPERATIVE

and

Baldwin County Farmers Union
Local # 41,

Defendants.

Filed this 18 day of Sept 1937.

Robert L. Clark
Clerk-Register

ORVIS M. BROWN

ATTORNEY-AT-LAW

ROBERTSDALE, ALABAMA

No. 177

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

James Valouchky
Plaintiffs.

vs.

Bul. Co. Farmers Union
Defendants.

CIVIL EXECUTION

Judgment for 06 for \$ 528.33

Interest from _____ 192 _____
to _____ 192 \$ _____

Damages _____ \$ _____

Costs _____ \$ 12.95

Total _____ \$ _____

Civil Fee Book 11 Page _____

Execution Docket 5 Page _____

Filed August 21 1925

Robert H. Arch
Clerk.

Becker & Hall
Plaintiff's Attorney.

Defendant's Attorney.

Collect Cost From

THE STATE OF ALABAMA,
Baldwin County

I hereby certify that the within Judgment
and Costs in this case are correct, and there
was a waiver of exemption as to personal
property under the Constitution and Laws
of Alabama.

This _____ day of _____ 192 _____

Clerk.

Received in office

, 192 _____

Sheriff.

Sheriff's Execution Docket, Page _____

Sheriff's Fee Book, Page _____

Clerk's Civil Fee Book Page _____

Clerk's Civil Execution Docket Page _____

The State of Alabama,
Baldwin County.

By virtue of the within execution, I have, at _____ o'clock _____ M., this
_____ day of _____ 192 _____, levied