

STATE OF ALABAMA ( )  
COUNTY OF BALDWIN )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Dr. C. H. WHARTON to appear within thirty (30) days from the service of this writ in the Circuit Court, to be held in the said County at the place of holding same, then and there to answer the Complaint of JOE LUCASSEN.

Witness my hand this 28th day of October, 1935.

*Robert B. Duck*  
Clerk Circuit Court

JOE LUCASSEN,	:	
	:	
Plaintiff,	:	
	:	
VS.	:	IN THE CIRCUIT COURT OF BALDWIN
	:	
Dr. C. H. WHARTON,	:	COUNTY, ALABAMA,
	:	
Defendant.	:	AT LAW.
	:	

ONE:

The Plaintiff claims of the Defendant the sum of TEN THOUSAND (\$10,000.00) DOLLARS, as damages, for that on to-wit, on the 24th day of October 1935, the Plaintiff, while driveing along the Robertsdale-Loxley public road, at a point about one and one-half mile North of Robertsdale, in Baldwin County, Alabama, in an automobile which he owned and operated, and which was then and there <sup>being</sup> operated or driven by the said plaintiff, was injured by automobile of said Defendant as follows, to-wit;

His forehead was badly cut and bruised, his left arm was mangled and crushed and cut and his leg cut in severall places, and his body otherwise mangled and or bruised; that he was caused to suffer great physical pain and mental anguish, and to doctor bills, and other expense.

Plaintiff avers that his injuries were proximately caused by the negligence of the said Dr. C. H. WHARTON, the owner and operator of said automobile, while in ~~the~~ and about the management and operation of said automobile.

TWO:

The plaintiff claims of the Defendant the further sum of ~~TEN THOUSAND~~ (\$10,000.00) DOLLARS, damages, for that on-to-wit October 24th, 1935, the Defendant, somnegligently operated an automobile which belonged to the said Defendant, and which he was then and there driveing or running along the public road leading from Robertsdale to Loxley, in Baldwin County, Alabama, at a point about one and one-half mile North of the town of Robertsdale, and in which automobile the Defendant was at the controlls, that he caused or allowed the said automobile which he was then and there driving as aforesaid to collide with another automobile driven by JOE LUCASSEN, Plaintiff, and as a proximate result the plaintiff was injured as follows;

His forehead was badly cut and bruised, his left arm was mangled and cruised and cut and his leg cut in severall places, and his body otherwise mangled and or crushed or bruised; that he was caused to suffer great physical pain and mental anguish, and to doctor bills, and other expenses.

Plaintiff avers that the said injuries received by him were proximately caused by the negligence of the said Dr. C.H. WHARTON, in and about the management and operation of said automobile.

THREE:

Plaintiff claims of the Defendant the further and additional sum of TEN THOUSAND (\$10,000.00) DOLLARS, for that on ,to-wit, October 24th, 1935, the Defendant, was operateing an automobile along the Robertsdale-Loxley public road, in Baldwin County, Alabama, at a place about one and one-half mile North of Robertsdale; tha7the said automobile at said time and place was so negligently operated that it was caused or allowed by the said Defendant to collide with the automobile driven by the said plaintiff, and the Plaintiff was injured as follows:

His forehead was badly cut and bruised, his left arm was mangled and crushed and cut and his leg cut in several places, and his body otherwise mangled and or crushed or bruised; that he was caused to suffer great physical pain and mental anguish, and to doctor bills, and other expenses.

Plaintiff avers that the said injuries received by him were proximately caused by the negligence of the said Dr. C. H. WHARTON, in and about the management of said automobile which he was driveing or operateing.

FOUR:

The Plaintiff claims of the Defendant the further and additional sum of TEN THOUSAND (\$10,000.00) DOLLARS, for that on, to-wit, October 24th, 1935, the Defendant so negligently operated an automobile which he was then and there driveing or running along the public road leading from Robertsdale to Loxley, in Baldwin County, Alabama, at a point of said road about one and one-half mile North of the town of Robertsdale that he caused or allowed the said automobile which he was driving or running to run into or collide with an Automobile driven by the Plaintiff, and the plaintiff was injured as follows;

His forehead was badly cut and bruised, his left arm was mangled and crushed and cut and his leg cut in several places, and his body otherwise mangled and or bruised; that he was caused to suffer great physical pain and mental anguish and to doctor bills, and other expense.

Plaintiff avers that the said injuries received by him were proximately caused by the negligence of the Defendant in and about the management and operation of said automobile.

  
Attorney for the Plaintiff.

Plaintiff demands a trial by Jury.

  
Attorney for the Plaintiff.

RECORDED

No 208 Duck  
7-383

<sup>1/62</sup>  
Rec in office

10-28-35

M. H. Wilkins - Sff

Joe Lucas

VS

Dr. C. W. Wharton

Returned 12/31/35

Dr. C. W. Wharton —  
Deft not found in  
Baldwin County

M. H. Wilkins - Sff

Bill of Complaint

Filed Oct 28, 1935

Robert L. Duck

ORVIS M. BROWN

ATTORNEY-AT-LAW

ROBERTSDALE, ALABAMA

STATE OF ALABAMA ( )  
COUNTY OF BALDWIN )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Dr. C. H. WHARTON to appear within thirty (30) days from the service of this writ in the Circuit Court, to be held in the said County at the place of holding same, then and there to answer the Complaint of JOE LUCASSEN.

Witness my hand this 28th day of October, 1935.

Robert E. Duck  
Clerk Circuit Court

JOE LUCASSEN,

Plaintiff,

VS.

Dr. C. H. WHARTON,

Defendant.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA,

AT LAW.

CHE:

The Plaintiff claims of the Defendant the sum of TEN THOUSAND (\$10,000.00) DOLLARS, as damages, for that on to-wit, to the 24th day of October 1935, the Plaintiff, while driving along the Robertsdale-Lexley public road, at a point about one and one-half mile North of Robertsdale, in Baldwin County, Alabama, in an automobile which he owned and operated, and which was then and there/operated or driven by the said plaintiff, was injured by automobile of said Defendant as follows, to-wit;

His forehead was badly cut and bruised, his left arm was mangled and crushed and cut and his leg cut in severall places, and his body otherwise mangled and or bruised; that he was caused to suffer great physical pain and mental anguish, and to doctor bills, and other expense.

Plaintiff avers that his injuries were proximately caused by the negligence of the said Dr. C. H. WHARTON, the owner and operator of said automobile, while in ~~the~~ and about the management and operation of said automobile.

TWO:

The plaintiff claims of the Defendant the further sum of TEN THOUSAND (\$10,000.00) DOLLARS, damages, for that unto-wit October 24th, 1935, the Defendant, so negligently operated an automobile which belonged to the said Defendant, and which he was then and there driving or running along the public road leading from Robertsdale to Loxley, in Baldwin County, Alabama, at a point about one and one-half mile North of the town of Robertsdale, and in which automobile the Defendant was at the controls, that he caused or allowed the said automobile which he was then and there driving as aforesaid to collide with another automobile driven by JOE MCGASSON, Plaintiff, and as a proximate result the plaintiff was injured as follows:

His forehead was badly cut and bruised, his left arm was mangled and crushed and cut and his leg cut in several places, and his body otherwise mangled and or crushed or bruised; that he was caused to suffer great physical pain and mental anguish, and to doctor bills, and other expenses.

Plaintiff avers that the said injuries received by him were proximately caused by the negligence of the said Dr. C.H. WHARTON, in and about the management and operation of said automobile.

THREE:

Plaintiff claims of the Defendant the further and additional sum of TEN THOUSAND (\$10,000.00) DOLLARS, for that on, to-wit, October 24th, 1935, the Defendant, was operating an automobile along the Robertsdale-Loxley public road, in Baldwin County, Alabama, at a place about one and one-half mile North of Robertsdale; that the said automobile at said time and place was so negligently operated that it was caused or allowed by the said Defendant to collide with the automobile driven by the said plaintiff, and the Plaintiff was injured as follows:

His forehead was badly cut and bruised, his left arm was mangled and crushed and cut and his leg cut in several places, and his body otherwise mangled and or crushed or bruised; that he was caused to suffer great physical pain and mental anguish, and to doctor bills, and other expenses.

Plaintiff avers that the said injuries received by him were proximately caused by the negligence of the said Dr. C. H. WHARTON, in and about the management of said automobile which he was driving or operating.

FOUR:


The Plaintiff claims of the Defendant the further and additional sum of TEN THOUSAND (\$10,000.00) DOLLARS, for that on, to-wit, October 24th, 1935, the Defendant so negligently operated an automobile which he was then and there driving or running along the public road leading from Robertsdale to Loxley, in Baldwin County, Alabama, at a point of said road about one and one-half mile north of the town of Robertsdale that he caused or allowed the said automobile which he was driving or running to run into or collide with an Automobile driven by the Plaintiff, and the plaintiff was injured as follows;

His forehead was badly cut and bruised, his left arm was mangled and crushed and cut and his leg cut in several places, and his body otherwise mangled and or bruised; that he was caused to suffer great physical pain and mental anguish and to doctor bills, and other expense.

Plaintiff avers that the said injuries received by him were proximately caused by the negligence of the Defendant in and about the management and operation of said automobile.

  
Attorney for the Plaintiff.

Plaintiff demands a trial by Jury.

  
Attorney for the Plaintiff.

6/2

[illegible]

Filed  
Oct 28, 1935  
Robert S. Duck -



ATTACHMENT.

**The State of Alabama,**  
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, Orvis M. Brown

hath complained on oath to me, ROBERT S. DUCK, Clerk of Circuit Court of Baldwin County, Ala.,

that Dr. C. H. Wharton

is justly indebted to the Plaintiff Joe Lucassen

in the sum of Ten Thousand Dollars Dollars, and

Orvis M. Brown having made affidavit and ~~given bond~~ <sup>electing</sup>  
not to give bond as Defendant is a non-resident  
~~as required by law in such cases~~, you are hereby commanded to attach so much of the estate of  
Dr. C. H. Wharton, to wit:- One Air-flow De Sota, Automobile

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such estate, so  
attached unless replevied, so to secure, that the same may be liable to further proceedings thereon to be  
had by the Circuit Court of Baldwin County, Ala., at a term thereof, to be held at the Court House of said

County, ~~on~~ within thirty days ~~Monday of~~ from service hereof 193

~~next~~ when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 20th day of October A. D. 193 5

Robert S. Duck Clerk.

Executed 11-30-35-  
by taking into my  
possession one  
Air Flow De Soto  
Automobile  
as the property of Dr.  
C. H. Wharton  
M. H. Wilkins Skiff  
C. M. Anderson D. S.

RECORDED  
Duck  
7-400

No. 208

ATTACHMENT

Joe Lucassen

Vs. { ATTACHMENT

Dr. C. H. Wharton

Issued Oct. 28, 1935, 193

MOORE PRINTING CO.,

The State of Alabama, {  
Baldwin County.

CIRCUIT COURT AT BAY MINETTE, ALA.

Before me, Ora Sirmon, a Notary Public,  
in and for said County, personally appeared Orvis M. Brown,  
who, being duly sworn, on oath saith that he is attorney for Joe Lucassen,  
that C. H. Wharton, justly indebted to  
Joe Lucassen  
in the sum of Ten Thousand Dollars, which said  
amount is justly due after allowing all just offsets and discounts, and that the said  
C. H. Wharton is a non-resident of the State of Alabama,

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 28th day of October 1935.

RECORDED

No. 208 7-350

The State of Alabama,

Baldwin County.

CIRCUIT COURT

AT BAY MINETTE, ALA.

Joe Lucassen

TO

C. H. Wharton

Attachment Bond and Affidavit

Filed this the 28 day

of October 1935  
Robert S. Duck Clerk.

Attorney.

# Circuit Court, Baldwin County

208

*you know*  
*Dr. H. Wharton*

PLAINTIFF

VS.

DEFENDANT

## BILL OF COST

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

Received payment this 8 day of Jan. 1936

ATTEST

*Robert S. Duck*  
Clerk Circuit Court, Baldwin County, Ala.

1285

The State Of Alabama,

CIRCUIT COURT

No. 209.

County.

Term, 19.

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

You are Hereby Commanded, That of the goods and chattels, lands and tenements of

Defendant,

you cause to be made the sum of George R. Swift, et al.

DOLLARS,

which

Plaintiff,

recovered of Vs Sidney

on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by the Judgment of our Circuit Court held for the County of \_\_\_\_\_ Dollars

besides the sum of \_\_\_\_\_ costs of suit, and have the same to render to the said \_\_\_\_\_, and make return of this Writ and the execution thereof, according to law.

Interest from \_\_\_\_\_, 19\_\_\_\_, to \_\_\_\_\_, 19\_\_\_\_.

Witness, my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Clerk.

CLERK'S FEES	Amount	SHERIFF'S FEES	Amount
Issuing ..... Summons and Complaint.....	\$1.25	Serving and Returning ..... Summons.....	\$1.50
Issuing ..... copies of same.....	.30	Serving and Returning ..... Writs.....	1.30
Issuing ..... Branch Summons & Complaint.....	1.25	Serving & Returning ..... Subpoenas for... Wit. ....	.65
Issuing ..... copies of same.....	.30	Levying ..... Attachment.....	3.00
Entering ..... Sheriff's Return or copy of above.....	.20	Entering and Returning ..... Attachment.....	.25
Docketing Cause.....	.25	Summoning and Returning ..... Garnishee.....	1.50
Entering ..... Appearances.....	.20	Serving & Returning ..... Sci. Fas. .... Notices.....	1.50
Filing ..... Pleas ..... Demurrers.....	.10	Impaneling Jury.....	.75
..... Affidavits, Certified.....	.25	Collecting Cost, Execution.....	1.50
..... Commissions to take Depositions.....	.75	Taking and Aproving ..... Replevin Bonds.....	1.00
..... copies of Innterrogatories.....		..... Claim Bonds.....	1.00
..... Notices of Filing Interrogatories.....	.50	..... Garnishment Bonds.....	.75
Filing ..... Packages of Depositions.....	.10	..... Forthcoming Bonds.....	1.00
Inclosing ..... Packages of Depositions.....	.10	..... Bail Bonds.....	1.00
..... Orders in Court.....	.30	..... Detinue Bond.....	1.00
..... Continuances.....	.10	Writ of Possession.....	5.00
Issuing ..... Subpoenas for ..... Witnesses.....	.30	Making Deed.....	5.00
Trial and Incidents.....	.75	Collecting Money on Execution.....	
Entering ..... Judgment.....	.30	Writ of Restriction.....	2.00
Issuing Execution.....	.50	Sheriff's Commissions.....	
Entering ..... Sheriff's Return of Execution.....	.20	Sheriff's Deed.....	
Issuing ..... Certiorari, ..... Sci. Fas.....	.75	Seizing Personal Property in Detinue.....	3.00
Filing ..... Certiorari, etc. ....	.15		
Issuing ..... Notices.....	.75	Former Sheriff's Fees.....	
Issuing ..... copies of same.....	.50	TOTAL SHERIFF'S FEES.....	
Taking ..... Bonds.....	.75	WAIVER ..... NO WAIVER.....	
Filing ..... Bonds.....	.10	Recapitulation.....	
Issuing ..... Attachment Writ..... & taking Bond.....	1.00	Judgment for..... for.....	
Filing ..... Attachments.....	.10	Interest from.....	
..... Summons of Garnishee.....	.50	Damages.....	
Swearing and Ent..... Answer of Garnishee.....		Clerk's Fees.....	4 50
Complete Record, 15c per 100 words.....	1 50	Sheriff's Fees.....	1 50
Transcript to Supreme Court.....		Justice of Peace Fees.....	
Certificate of Appeal to Supreme Court.....	.75	Witness Fees in Justice of Peace Court.....	
..... Notices of Appeal.....	.75	Constable's Fees.....	
..... Appeal Bond.....	.75	Commissioner's Fees.....	
Certificate of Judgment.....	.50	Commissioner's Residence.....	
..... Witness Certificates.....	.25	Printer's Fees.....	
		Garnishee's Fees.....	
		Witness Fees in Circuit Court.....	
		Former Clerk's Fees.....	
		Trial Tax.....	3 00
TOTAL CLERK'S FEES.....	4 50	TOTAL FEES.....	9 00