

STATE OF ALABAMA. IN THE CIRCUIT COURT--LAW SIDE. BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon A. O. Smith to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of the Reconstruction Finance Corporation, a Corporation.

Witness my hand this 20 day of July, 1937.

## COMPLAINT.

RECONSTRUCTION FINANCE COR-PORATION, a Corporation,

Plaintiff,

-vs-

A. O. SMITH.

Defendant.

IN THE CIRCUIT COURT OF BAIDWIN COUNTY, ALABAMA.

LAW SIDE.

The Plaintiff claims of the Defendant Seventy-eight & 21/100 Dollars (\$78.21) due by Promissory Note made by him on, to-wit. August 28th, 1931, and payable on, to-wit, November 28th, 1931, to the order of the Robertsdale State Bank of Robertsdale, Alabama, with interest thereon, and the Plaintiff avers that it is the owner of the aforesaid Note by having acquired the same for value.

The Plaintiff further avers that in and by the terms of said Note the Defendant waived as to this debt or any renewal thereof all right of exemption under the Constitution and laws of Alabama or any other State as to personal property, and of this waiver the Plaintiff now claims the benefit.

The Plaintiff further alleges and avers that in and by the terms of said Note the Defendant agreed to pay all costs of collecting or securing, or attempting to collect or secure, said Note, including a reasonable Attorney's fee, and the Plaintiff

(page one)

## (page two)

further claims of the Defendant the further and additional sum of Twenty-five Dollars (\$25.00) as such reasonable Attorney's fee.

Attorney for Plaintiff.

RECORDED 8-103

hy serving copy of within Summons and

Complaint on

Defendant.

BALDWIN COUNTY, ALABAMA. IN THE CIROUIT COURT OF

LAW SIDE.

Filed July

LAW OFFICES
HYBART & CHASON BAY MINETTE, ALABAMA

SUMMONS & COMPLAINT.

RECONSTRUCTION FINANCE COR-PORATION, a Corporation,

Plaintiff,

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A. O. SMITH,

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RECONSTRUCTION FINANCE COR-PORATION, a Corporation,

Plaintiff.

-VS-

A. O. SMITH,

Defendant.

IN THE CIRCUIT COURT--LAW SIDE
STATE OF ALABAMA
BALDWIN COUNTY.

## AMENDED COMPLAINT.

Comes the Plaintiff in the above styled cause and amends its Complaint heretofore filed in said cause so that the same shall read as follows:-

"RECONSTRUCTION FINANCE COR-PORATION, a Corporation,

Plaintiff.

-VS-

A. O. SMITH.

Defendant.

IN THE CIRCUIT COURT--LAW SIDE
STATE OF ALABAMA
BALDWIN COUNTY.

count 1: The Plaintiff claims of the Defendant Seventy-eight & 21/100 Dollars (\$78.21) due by Promissory Note made by him on, to-wit, August 28th, 1931, and payable on, to-wit, November 28th, 1951, to the order of the Robertsdale State Bank of Robertsdal Alabama, with interest thereon, and the Plaintiff avers that it is the owner of the aforesaid Note by having acquired the same for value.

COUNT 2: The Plaintiff claims of the Defendant Sixtyfive Dollars (\$65.00) due by Promissory Note made by him on, towit, August 17th, 1929, and payable on, to-wit, sixty days after
date, to the order of Silverhill Creamery, Inc., with interest
thereon, and the Plaintiff avers that it is the owner of the aforesaid Note by having acquired the same for value.

The Plaintiff further avers that in and by the terms of said Notes the Defendant waived as to this debt or any renewal thereof all right of exemption under the Constitution and laws of Alabama or any other State as to personal property, and of this waived the Plaintiff now claims the benefit.

The Plaintiff further alleges and avers that in and by (page one)

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## (page two)

the terms of said Notes the Defendant agreed to pay all costs of collecting or securing, or attempting to collect or secure, said Notes, including a reasonable Attorney's fee, and the Plaintiff further claims of the Defendant the further and additional sum of Forty Dollars (\$40.00), as such reasonable Attorney's fee.

Attorney for Plaintiff.

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AMENDED COMPLAINT.

RECONSTRUCTION FINANCE COR-PORATION, a Corporation,

Plaintiff,

\*VS\*

A. O. SMITH,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

1937 Filed July

HYBART & CHASON BAY MINETTE, ALABAMA LAW OFFICES

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Transcript of Civil Cases from Justice's Court of \_

ATTORNEYS	NAMES OF PARTIES	CAUSE OF ACTION	ITEMIZED BILL OF COSTS
None	Eliza Williams, Plaintifi	Plaintiff claims the	JUSTICE'S FEES  Issuing Summons \$ 5
	wm. J. Russell, Defendent	defendent has in his	Issuing Alias Summons 50 Issuing Subpoena for each witness 15
		possession one cow and	Issuing Execution and Taxing Cost _ 56 Issuing Summons to Garnishee and
		calf and prays the	taking answer 50 Issuing Attachment Writ 50
		court to cause said	Attachment Bond and Affidavit 1 50 Garnishment Bond and Affidavit 53
	THE COLUMN TWO IS NOT	property to be return-	Appeal or Certiorari, including Bond 1-00
	2000	ed to her.	Administering Oath and Certifying same 25 Certificate not otherwise provided for 25 Docketing Cause 10
	DISPOSITION	Judgment on Forthcoming Stay or Replevin Bond 50	
	Bond and Affidavit Filed June, 2	- Judgment on Summary Proceeding 75 Issuing Venire Facias 50	
	Summons and Complaint Issued Ret.	June, 26th 1937	Transcript of Proceeding 50 Attending Trial or Right of Property 100 Sci. Fa. or Notice in nature thereof 50
	· Ret. Executed by P.	VanIderstein, Dep. Sher	Making Return of Certiorari
e de la companya de La companya de la co	\$		

June, 23, 1937.

Came Eliza Williams, Plaintiff in the cause herein shown, asking that one. Wm. J. Russell of Daphne, Alabama be ordered by this Court to return to her the plaintiff, one Milk Cow and Calf, she the plaintiff claiming said Cow and Calf to be her property and being held against her wishes by the Defendent.

Summons issued to Wm.J. Russell, thru P. VanIderstein, Deputy Sheriff to appear in Court the 26th day of June, to answer the complaint of the Plaintiff.

Summons executed and returned as provided.

June, 26th, 1937.

Came the Parties to this suit, Eliza Williams, Plaintiff and William J. Russell, Defendent with their witnesses and both sides being ready for trial the following witnesses were examined.

For Plaintiff

For Defendent.

Emma Johns
Lina Crandall.
Austin Grigsby.
Millard Mayhand.
Charlie Johns, Sr.
Clisby Mayhand.
Charlie Johns, Jr.
Johnie Crandall.
Eliza Williams.

S. W. Pickens.
J. J. Andrews.
Dana Davis.
Wm. J. Russell.

witnesses were put under the rule and testified under oath.

Both Plaintiff and Defendent claim the Cow to belong to themself.

Court proceeded with the examination of the witnesses to establish specific identification of the cow,

Witnesses for plaintiff made identification by reasons of, Color, General appearance, and brand.

witnesses for Defendent identified the cow by resons of Color, general appearance and certain peculiar and specific facts as to an enlargement of the throat, not visible, and which testimony developed when the animal was half grown and caused by a definite reason, known to them. (Court appointed a committee of four men Rev Harmon and Ellis Hansen (whiteO and Doc Joynes and George Snead (col) to examine the cow. They reported the condition as stated by the witnesses for the Defendent.

Cross examination developed the peculiarities unknown to the Plaintiff or her witnesses.

Court decides that the Defendent did identify the cow as belonging to him, beyond a resonable doubt and judgement is rendered in his favor and the cow turned over to him as owner.

Court Costs in the amount of \$4.10 assessed against Plaintiff.

Verbal notice of appeal taken.

July, 1st, 1937.
An appeal bond submitted by Plaintiff rejected, not approved.
July, 9th, 1937.

An appeal bond submitted by Plaintiff in the sum of \$200.00 accepted and approved.

Transcript and bond forwarded to Circuit Clerk, Baldwin County, August, 21st, 1937.

Stoward Gaileard J.P.

The	State of Alabama, Baldwin County	Circuit Court, N	OV	_Term, 193
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<u> </u>	A. O. SMITH,		<del>_</del>	
				<b>a</b>
· · ·		DEFENDANT.	·	
		•		
	R. S. DUCK,	, Clerk of the	ae Circuit Court	of Baldwin County
	•		19	*27
Mabam	a, do hereby certify that on the	<b>20th</b> day of	November	19
	ECONSTRUCTION FINANCE CO	on the state of th		
was Pla	intiff and			
1	A. O. SMITH,		·	was Defendant, i
avor of	the said Plaintiff and against the said	l Defendant for the sum o	of ————	
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	Witness my hand this			n County, Alabama.

The State of Alabama	Circuit	Court, Nov.	Term, 19 <del>37</del>
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I,————————————————————————————————————		-, Clerk of the Circui	t Court of Baldwin County,
•	20th	_day of	iber 10 37
Alabama, do hereby certify that on the			,
a Judgment was rendered by said Court	in the above state	ed cause, wherein -	
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RECONSTRUCTION FINANCE	CORPORATIO	M's corborar	LULLa
was Plaintiff and			
was Plaintiff and			
A. O. SMITH,			was Defendant, in
favor of the said Plaintiff and against th	e said Defendant	for the sum of ———	
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in said cause.			
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		Cierk, Circuit Court,	Date Will County, Antonia

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