

The State of Alabama, {  
Baldwin County.

251

That we, Amos Spears, & wife Mrs. Iva Louise Spears,  
are held and firmly bound unto Elmer Kinsey,  
in the sum of ~~Forty & 00/100~~ Twenty-three & 00/100 Dollars,  
for the payment of which, well and truly to be made, we bind ourselves and each of us, our and each of  
our heirs, executors and administrators, jointly and severally. But upon condition, that if the above  
bound Amos Spears, & wife Mrs. Iva Louise Spears. shall prosecute to  
effect an appeal by him taken this day to the next term of the Circuit Court of  
Baldwin County from a judgment rendered against ~~him~~ <sup>them</sup> in favor of said Elmer Kinsey.  
by J. J. Ganus,  
a justice of the peace for said county, for the sum of ~~Eleven & 50/100~~  
Dollars, debt in said appeal, shall pay such judgment, both as to  
debt and costs as may be rendered against ~~him~~ <sup>them</sup> by the said Circuit Court of  
Baldwin County, then, in either of said events, this obligation to be void, otherwise to remain in full  
force and effect.

Given under our hands and seals, this the 22nd day of October, 1935.

Approved:

Horner S. Walters  
Deputy Sheriff

Amos Spears & Iva Louise Spears (L. S.)

Albert B. Dennis (L. S.)

J. J. Ganus J. P. John W. Tyson (L. S.)

RECORDED

*Duck*  
*7-464*

No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

APPEAL BOND

JUSTICE'S COURT OF

J. J. Ganus.

Elmer Kinsey,

PLAINTIFF

VS.

Amos Spears, & Wife

Mrs. Iva Louise Spears.

DEFENDANT

Filed this 22 day of October, 1935

*21 Mar 36*  
*[Signature]*  
Clerk-Register

# The State of Alabama

Baldwin County

CIRCUIT COURT

No. 211Term, 1934

To Any Sheriff of the State of Alabama, Greeting:

You are hereby commanded, That of the goods and chattels, lands and tenements of \_\_\_\_\_

Defendants,

you cause to be made the sum of \_\_\_\_\_ Dollars,

which \_\_\_\_\_ Plaintiffs

recovered of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 1934, by

the Judgment of our Circuit Court held for the County of Baldwin, besides the sum of \_\_\_\_\_

Dollars

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 \_\_\_\_\_, 1934 to date of collection.Witness my hand, this 18 day of August, 1934

Clerk

CLERK'S FEES	AMOUNT	SHERIFF'S FEES	AMOUNT
For every Summons & Complaint	\$1.25	For Levying an Attachment	\$3.00
Each copy thereof	30	Entering and Returning Attachment	25
Entering a Sheriff's Return	20	Summoning Garnishee	1.30
Docketing	25	Serving Summons on Writ	1.30
Entering Appearance	20	Serving Notice Sci. Fa. Notice, etc.	65
Filings	10	Serving Subpoenas	65
Every order made in Court	30	Empanelling Jury	75
Copy thereof	25	Entering and Returning Execution	25
Every trial with or without Jury	75	Collecting Cost Executions	1.50
Entering up Judgment or copy thereof	30	Executing a Writ of Possession	2.50
Issuing Execution	50	Taking and Approving Bonds	1.00
Docketing Execution	25	Commissions	
Entering Return on Execution	20	and return	
Issuing Subpoenas	30	Witness Fees	
Administering Oath	25		
Issuing each Attachment and taking bond	1.00		
Filing Attachment	10		
Each Summons for Garnishee	50		
Taking Answer to Garnishee	50		
Commissions to take Depositions or Copy	75		
Order to Execute Writ of Inquiry	30		
Copy of Interrogatories, 15c per 100 words or	50		
Filing each Deposition and endorsing same	20		
Final Record, per 100 words	15		
Every Certificate requiring Seal	50		
Taking Bond not otherwise provided for	75		
Witness Certificates	25		
Continuance	10		
Certificate of Judgment	50		

## RECAPITULATION

Judgment for	for \$	22.00
Interest from	1	
Damages		
Clerk's Fees		4.40
Sheriff's Fees		
Justice of Peace Fees		14.70
Witness Fees in Justice of Peace Court		
Constable's Fees		
Commissioner's Fees		
Printer's Fees		
Witness Fee in Circuit Court		
Former Clerk's Fees		
Stenographer's Fee	\$5.00	
Trial Tax	3.00	3.00

2230

45.50

The State of Alabama }  
Baldwin County }

JUSTICE COURT  
October,

No. \_\_\_\_\_, 193 5

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to summon Amos Spears, & Mrs. Iva Louise Spears.

Oct. 12th 2-0, clock-P.M.  
to appear ~~within thirty days~~ from the service of this writ, in the Justice Court to be held for said County at the place of holding the same, then and there to answer the complaint of

Elmer Kinsey.

Witness my hand this 5th day of October, 193 5

J. P.

### COMPLAINT

Elmer Kinsey,

Amos Spears, and Iva Louise

Spears.

Plaintiff.. versus

Defendant..

The plaintiff claims of the defendant the following personal property, to-wit:

One Heifer, color Brown, age two years., marked H. H. in each ear, Branded "30".

with the value of the hire or use thereof during the detention, to-wit:

from January, 18th, 193 5, to October, 5th, 193 5

Five Dollars.

Elmer Kinsey Plaintiff's Attorney

No. \_\_\_\_\_ Page \_\_\_\_\_

**The State of Alabama,**  
BALDWIN COUNTY

**JUSTICE COURT**

*Elmer Kinsay*

PLAINTIFFS

VS.

*Amos Spears &  
Mrs. Lora Spears*

DEFENDANTS

**Detinue Summons and Complaint**

Filed **Oct. 5th 1935.**, 193

*J. P. Gamm*

J. P.

*Marble  
Robert Welch*

Clerk of Court

Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co., Bay Minette

To the Sheriff of said County:

Whereas, the Plaintiff in the within stated cause has made affidavit and given bond as required by law you are hereby required to take the property mentioned in Complaint into your possession unless the Defendant gives bond payable to the Plaintiff with sufficient surety in double the amount of the value of the property, with condition that if the Defendant is cast in the suit he will within thirty days thereafter, deliver the property to the Plaintiff, and pay all damages and costs which may accrue from the detention thereof.

*J. P. Gamm*

J. P.

Defendant lives at

Received in office

, 193

, Sheriff

I have executed this summons

this *Oct - 9*, 193

by leaving a copy with

*Mrs. Lora Spears*

*M. H. Milburn* Sheriff

*C. N. Anderson* Deputy Sheriff

# Transcript of Civil Cases from Justice's Court of *J. J. Lamar*, Baldwin County, Ala.

ATTORNEYS	NAMES OF PARTIES	CAUSE OF ACTION	ITEMIZED BILL OF COSTS		
Witnesses. Peter M. Pedigo, Foley Thomas H. Smith	Elmer Kinsey VS. Amos Spears & Mrs. Iva Louisa Spears.	Suit in Detinue to Recover one Heifer Color Brown, Age 2 years. Valued at \$15.00	<div>JUSTICE'S FEES</div> <div> Issuing Summons..... \$ 50  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  Attachment Bond and Affidavit..... 1 50  Garnishment Bond and Affidavit ..... 50  ..... Appeal or Certiorari, including Bond..... 1 00  ..... Bond ..... 50  Administering Oath and Certifying Same ..... 25  ..... Certificate not otherwise provided for.... 25  Docketing Cause ..... 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  <div> <div>Shiriff</div> <div>CONSTABLE'S FEES</div> <div>CIVIL CASES</div> </div> Serving..... Summons..... 1 00  Serving..... Summons on Each Witness .... 25  Serving..... Garnishment ..... 25  Levying Attachment under \$50.00..... 1 00  Levying Execution under \$50.00..... 1 00  Making Money 3 per cent. not less than ..... 75  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 .....  <div>WITNESS' FEES</div> ..... Witness..... Days..... 50  </div> <div>50</div> <div>30</div> <div>80</div> <div>90</div> <div>14 90</div>		
10/5/35	Bond and Affidavit Filed.				
10/12/35	Summons and Complaint Issued ret.				
	Ret. executed by C. N. Anderson & Homer S. Walters, This case				
	was set for hearing 10/12/35 but both sides not being ready for				
	hearing was continued until 10/19/35. it was called at 2- O'clock P.M.				
	on 10/19/35 with both parties present, after hearing the evidence				
	the court took the case under advisement, on 10/21/35 the court notified				
	both Pltf. & Dfdo. that judgement was rendered in favor of Pltf.				
	& against Dfdo. & ordered Depty. Homer S. Walters to deliver the				
	property to Pltf. Elmer Kinsey. Defendants appealed to Circuit Court				
	filed appeal Bond. & held the property Bond was signed by Defendants,				
	& E. B. N. & J. L. M. & J. L. M. & J. L. M.				

The State of Alabama, {  
Baldwin County

IN JUSTICE COURT OF

J. H. Gano

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 11<sup>th</sup> day of March, 1936

J. H. Gano

Justice of the Peace.

71 Mar 36  
J. H. Gano

7-46

STATE OF ALABAMA,  
Baldwin County

Elmer Kinsey.

Know all men by these presents, That we,

are held and firmly bound unto Amos Spears, & Iva Louise Spears. Baldwin

County, in the sum of Twenty-three Dollars, and costs to be paid by the said

Elmer Kinsey,

his

heirs, executors, administrators or assigns; for which payment, well and truly to be made, we bind ourselves, and each of us, and each of our heirs, executors, administrators, jointly, severally and firmly, by these presents. Sealed

with our seals and dated this 5th day of October, 1935

The condition of the above obligation is such that, whereas, the above bound

Elmer Kinsey.

on the day of the date hereof, hath obtained at the suit of Amos Spears, & Iva Louise Spears.

a Summons and Complaint for the recovery of personal chattels in specie against

One Heifer, color Brown, age two years, marked, H.H. in each ear.  
Branded "30".

and asks an endorsement by the Justice of the Peace, "That the Constable is required to take the property mentioned in said complaint into his possession," as required by law in such cases, which Summons and Complaint are

returnable before the 12th day of Oct. 2-0, clock-P.M. 1935, and which endorsement

is made upon the plaintiff entering into this Bond.

Now if the said Plaintiff shall fail in this suit, and shall pay the Defendant all such costs and damages as

They

may sustain by reason of the wrongful complaint in said

cause, then this obligation to be void; otherwise to remain in full force and effect.

Approved:

J. P.

Elmer Kinsey (L. S.)

Karl Bergman (L. S.)

D. H. Houser (L. S.)



The State of Alabama,  
Baldwin County

J. J. Ganus, N. P. & Ex-Off. J. P.

Before me,

Elmer Kinsey

in and for said county, personally appeared

who, being duly sworn, deposeth and said: That the property sued for in the complaint of

Elmer Kinsey, V. S. Amos Spears, and Iva Louise Spears.

to-wit:

One Heifer, color brown, age two-years, marked E. H. ear,

branded "30"

belongs to Elmer Kinsey.

the said Plaintiff.

Sworn to and subscribed before me this 5th day of Oct. A. D., 1935

*Elmer Kinsey*  
*J. J. Ganus*

RECORDED  
INDEXED  
7-463

No. \_\_\_\_\_

Deine Bond and Affidavit

Elmer Kinsey,

VS.

Amos Spears, & Wife

Mrs. Iva Louise Spears.

Moore Printing Co., Bay Minette, Ala.

*Edward H. Davis*