

STATE OF ALABAMA.
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon DAN C. HAYES to appear within thirty (30) days from the service of this writ in the Circuit Court of this County, at the place of holding the same, then and there to answer the complaint of A. F. MISS.

Witness my hand this the 4th day of May, 1936.

Robert L. Lueck
Clerk of the Circuit Court of
Baldwin County, Alabama.

A. F. MISS,)
Plaintiff,)
vs.)
DAN C. HAYES,)
Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW.

COUNT I.

The plaintiff claims of the defendant the following personal property, viz.:

- Four head of mules;
- All cows;
- All farming implements, cultivators, disc plows, harrows, plow tools and stocks, and all wagons owned by the said Dan C. Hayes as of January 31, 1935;

with the value of the hire or use thereof during the detention, viz., from the 1st of May, 1935.

COUNT II.

The plaintiff claims of the defendant the sum of Eight Hundred Fifty-eight and 65/100 Dollars (\$858.65) due by promissory note made by him on the 31st day of January, 1935, and payable on the 1st day of May, 1935, with interest thereon.

The plaintiff admits the following credits, to-wit:

	\$29.12	(10% discount)
May 25, 1935,	338.50	

Sept. 30, 1933,	\$15.00
Oct. 17, 1933,	6.00
June 14, 1934,	50.00

The defendant, in and by said note, waives all right of exemption under the laws of the State of Alabama as to all person-
alty and wages as against the collection of any indebtedness secured
hereby, and he further agrees to pay every expense incurred in any
way or manner, as well as attorneys' fee to carry on said litiga-
tion, and also agrees to pay all collector's fees and cost of col-
lecting any amount due under this paper; and the plaintiff claims
of the defendant the further and additional sum of Fifty Dollars
(\$50.00) as a reasonable attorneys' fee in the premises.

Boche Hall & Beebe
Attorneys for Plaintiff.

Presented May 9 1936
by serving copy ✓ within Summons and
Complaint on

Don C. Hayes

M. H. Walker Sheriff
C. N. Anderson Deputy Sheriff

STATE OF ALABAMA,
BALDWIN COUNTY.

TO THE SHERIFF OF BALDWIN 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 the 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 case in the suit, he will, within thirty days thereafter, deliver the property to the Plaintiff, and pay all costs and damages which may accrue from the detention thereof.

Ratus Lee

Clerk.

None of within mentioned
property found in Baldwin
Co.

M. H. Walker Sheriff
C. N. Anderson D. S.

RECORDED
Book
7-489

A. F. Liles,
Plaintiff,

vs.

DAN C. HAYES,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW.

SUMMONS AND COMPLAINT.

Filed May 4, 1936

Ratus Lee
Clerk.

BEEBE, HALL & BEEBE
LAWYERS
BAY MINETTE, ALABAMA

STATE OF ALABAMA.

COUNTY OF Chilton.

Personally appeared before me, the undersigned authority in and for said County, in said State, A. F. MIMS, who being duly sworn, deposes and says that the property sued for in the complaint herein, to-wit:

Four Head Mules owned by Dan C. Hayes as of Jan. 31, 1933;
All cows now owned by Dan C. Hayes as of Jan. 31, 1933;
All farming implements, cultivators, disc plows,
harrows, plow tools and stocks, and all wagons owned
by Dan C. Hayes as of Jan. 31, 1933;

belongs to A. F. Mims, the plaintiff.

A. F. Mims ✓

Sworn to and subscribed before
me, this the 2nd day of
May, 1933.

Lucas Thompson
Notary Public, Chilton County,
Alabama.

RECORDED

Deck

7-490

Filed May 4-21, 1936
Water Deck

STATE OF ALABAMA.

COUNTY OF Baldwin

KNOW ALL MEN BY THESE PRESENTS, that we, A. F. MIMS, as principal, and Hugh Thompson and G. H. Mims, as sureties, are held and firmly bound unto DAN C. HAYES in the sum of ONE HUNDRED (\$100.00) 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, severally and firmly by these presents.

Sealed with our seals, and dated this 1 day of May, 1936.

The condition of the above obligation is such, that, whereas, the above bound A. F. Mims has this day commenced suit in the Circuit Court of Baldwin County, Alabama, against said Dan C. Hayes for the recovery of

Four Head Mules now owned by me;
All cows now owned by me and in my possession;
All farming implements, cultivators, disc plows,
harrows, plow tools and stocks, and all wagons
now owned by me and in my possession;

and having made affidavit that the property sued for belongs to A. F. Mims, and entered into this bond, has obtained an order requiring the sheriff of Baldwin County to take the said property sued for into his possession.

Now, if the said A. M. Mims shall fail in said suit and pay the defendant all such costs and damages as he may sustain by the wrongful complaint, then this obligation to be void, otherwise to remain in full force and effect. And for the payment of the above bond we hereby waive our right of exemption to personal property under the constitution and laws of the state of Alabama.

affirmed.
This 4th day of May 1936
C. H. Mims
Chk

A. F. Mims (SEAL)
Hugh Thompson (SEAL)
G. H. Mims (SEAL)

STATE OF ALABAMA

CHILTON COUNTY

I, J. R. Hardy, Sheriff of Chilton County, Alabama, hereby certify that the within and foregoing is a good and sufficient bond and if presented to me in my official capacity, I would approve the same.

Given under my hand and seal on this the 1 day of May, 1936.

J. R. Hardy
SHERIFF, CHILTON COUNTY,
ALABAMA.

Filed May 4
1936
C. C. Leach
Chas.

RECORDED

Book

7-490

STATE OF ALABAMA

COUNTY OF BALDWIN

A. F. MIMS,
Plaintiff,

Vs.

DAN C. HAYES,
Defendant.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA .

AT LAW.

Comes now the Defendant in the above entitled cause of
action: and for reply says:

One.

Defendant denies having signed certion promisory Note
as set out in plaintiff's complaint.

Two.

Defendant denies having signed certion Promisory Note
as set out in Count 1. of plaintiffs complaint, and each alleg-
ation thereof.

Three.

Defendant denies that he owes the plaintiff the sum of
Eight Hundred Fifty-eight and 65/100 (\$858.65) Dollars with
interest thereon, as alleged in Count Two of complaint.

Four.

Defendant says that he paid all notes for which he
received consideration for when due.

Defendant Demands a trial by a Jury.


Attorney for Defendant.

AT LAW

RECORDED
Duck
7-490

A. F. MIMS,
Plaintiff,

Vs.

DAN C. HAYES,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, Alabama.

Filed June 9, 1936
Robert S. Duck,
Clerk.

Orvis M. Brown, Attorney
for Defendant.

Circuit Court, Baldwin County

PLAINTIFF

VS.

DEFENDANT

BILL OF COST

CLERK'S FEES

Issuing Summons and Complaint	\$1 25
Copies of same, when over 200 words, 15c per 100	30
Issuing Alias Summons and Complaint	1 25
Entering Sheriff's Return on Summons and Complaint	20
Docketing Cause 25c. Ent. Appearance, 20c	45
Subpoena for Witness	30
Making Certificate of Judgment	50
Filing	10
Trial and Incidents	75
Entering Judgment, or copy of same	30
Order for Continuance	10
Issuing Execution	50
Docketing Execution	25
Issuing copy of same	50
Entering Sheriff's Return on Execution, 15c per hundred words	20
Final Record, 15c per hundred words	
Order for Alias Summons and Complaint	30
Order to Dismiss Cause	30
Order to Set Aside Dismissal	30
Order Overruling Motion to Set Aside Dismissal	75
Order Granting New Trial	30
Order Overruling Motion for New Trial	30
Order Overruling Motion for Continuance	30
Order Overruling Motion to Set Aside Default	30
Order for Notice to Non-Resident Defendant	30
Issuing Notice for Publication and Copy 20c per hundred words	
Order to Give Security for Costs	30
Order to Give Additional Bond	30
Order to Execute Writ of Inquiry	30
Order of Sale in Attachment	30
Order for Leave to Amend Complaint	30
Order for Leave to Amend Pleas	30
Order for Leave to Amend Writ of Process	30
Order for Attachment for Witness	30
Filing Deposition	10
Issuing Commission to Take Deposition	75
Issuing copy of same, per hundred words	15
Issuing Copy of Interrogatories, 15c per hundred words, but not less than	50
Endorsing each Pet. Deposition Opened	10
Taking Bond in Garnishment on Summons	75
Summons to Garnishee	50
Copies of same, 20c per hundred words	
Notice to Defendant in Garnishee on Summons, and copy, per hundred words	20
Swearing Garnishee and Recording Answer, 15c per hundred words, but not less than	50
Filing Attachment	10
Issuing Attachment Writ and Taking Bond	1 00
Issuing Copies of Attachment Writ, 15c per hundred words	
Filing Certiorari and Entering Return	15
Taking Certiorari Bond and Filing Same	75
Issuing Writ of Certiorari	75
Issuing copies of same, 15c per 100 words	
Issuing Writ of Scieri Facias, or Notice in Nature of	75
Issuing copies of same, 15c per 100 words	
Taking Supersedeas Bond and Filing same	75
Taking Appeal Bond and Filing same	75

TOTAL FORWARDED

AMOUNT BROUGHT FORWARD

Transcript to Supreme Court, 15c per hundred words	
Copies, 5c per hundred words	
Citation to Appellee in Appeal, 20c per hundred words	
Certificate with Seal, 50c. Without Seal	25
Witness Certificate	25
Taking Bond Not Above Mentioned	75
Entering Order of Court not above named	30
Administering Oath	25
Taking Bond for Costs of Non-Resident Plaintiff	75
Copy of any paper not above named, 15c per hundred words	
Filing Writ of Prohibition and Entering Return	15
Issuing Writ of Prohibition	75
Issuing copies of same, 15c per 100 words	
Filing Mandamus and Entering Return	15
Issuing Writ of Mandamus	75
Issuing copies of same, 15c per 100 words	
Total Clerk's Fees	

SHERIFF'S FEES

Serving and Returning Summons	\$1 50
Serving and Returning Subpoenas	65
Collecting Execution for Costs	1 50
Serving and Returning Sci. Fa. Notice, etc.	65
Executing Writ of Possession	2 50
Levying Attachment	3 00
Entering and Returning Attachment	25
Entering and Returning Execution	25
Summoning and Returning Garnishee	1 50
Taking and Approving Garnishee Bond	75
Serving and Returning Writs	1 50
Serving and Returning Summons on Forcible Entry	1 00
Executing Writ of Restitution in such cases	2 00
Taking and Approving Bonds of Every Kind	1 00
Taking and Approving Claim Bond	1 00
Taking and Approving Forthcoming Bond	1 00
Taking and Approving Bail Bond	1 00
Taking and Approving Plaintiff's Detinue Bond	1 00
Taking and Approving Defendant's Detinue Bond	1 00
Making Deed	2 50
Serving Attachment for Contempt of Court	1 50
Collecting Money on Execution	
Empanelling Jury	75
Sheriff's Commission for Property Sold under Attachment	
Seizing Personal Property on Writ of Detinue	3 00
Total Sheriff's Fees	

RECAPITULATION

Judgment	
Interest	
Clerk's Fees	
Sheriff's Fees	
Justice's Fees	
Constable's Fees	
Witnesses' Fees	
Commissioners' Fees	
Printer's Fees	
Stenographer's Fees	5 00
Answer of Garnishee	
Trial Tax	3 00
Total	\$

Received payment this _____ day of _____ 193 _____

ATTEST

Clerk Circuit Court, Baldwin County, Ala.

6.40

2.50
2.34