

GORDON CHILDRESS,

Plaintiff,

-vs-

WILLIAM E. COONEY,

Defendant.

COMPLAINT.

Count one. The plaintiff claims of the defendant the sum of NINTY-NINE and no/100 DOLLARS for that on towit the twenty-fifth day of August, 1936 about 2 ½ miles north of the Oak Road on Alabama Highway number Three, a public highway in the state of Alabama the defendant negligent drove an automobile upon or against the plaintiff's two year old Herford bull, killing said bull to the plaintiff's damage in the amount of Ninty-nine dollars as aforesaid.

Wherefore plaintiff sues.

E. S. Richardson  
Atty for PL.

Plaintiff demands a trial by jury

E. S. Richardson  
Atty for PL.

Duch  
8-109

RECORDED

Filed September 24 1936  
R. S. Duch, Clerk.



Executed by personal service and notice of  
Garnishment

this day of 19

Constable.

By D. C.

I have Executed this  
Writ by serving copy  
on the Defendant  
this 3rd day Sept. 1936  
Horn Watson  
D.S.

No.

Page 7-565

THE STATE OF ALABAMA,

Baldwin County.

In the Justice Court of

Term, 19

SUMMONS and COMPLAINT

Gordon Children

Plaintiff

vs

Willie F. Cooney

Defendants

The Defendant is hereby notified that Writ of

Garnishment has been served on

filed Sept. 24, 1936  
R. H. Duck

Clint

J. P.

Location

MOORE PRINTING CO., BAY MINETTE, ALA.

R. H. Duck

STATE OF ALABAMA,)  
BALDWIN COUNTY. )

Before me the undersigned authority, within and for said State and county, personally appeared W. B. Jones, who on oath deposes and says: That he has been paid witness fees due him in the case of Gordan Childress vs. William E. Cooney; and that he has no further claim in said case.

Sworn to and subscribed to  
before me, this the 21st  
day of May, 1941.

*Witness claims that he has  
no further claim signed in  
wrong place - as per statement  
of Clerk.*

*Eugene T. Brown*

E. G. RICKARBY, JR.

LAWYER

POPPE BUILDING

FOLEY, ALABAMA

August 5, 1936.

Mr. Jerome Price,  
Foley, Alabama.

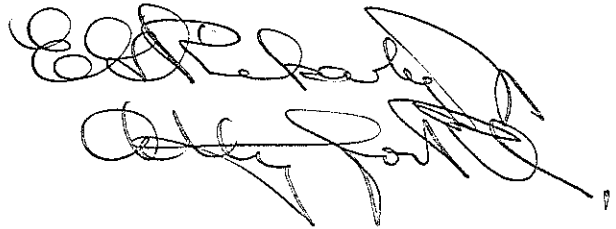
Dear Jerome:-

Would please supeona for me the following witnesses to appear at 2:30 on the tenth as witnesses for the Plaintiff in the cause of Childress v. Cooney.

Thanking you for this favor, I am.

Yours very truly:-

E/R.



Mr. Willæe Leigh, Foley, Alabama.

Mr. Major Jones, Foley, Alabama."

Mr. Billæe Burmaster, Fairhope, Alabama.

Filed Sept. 24, 1936  
R. S. Quack, Clerk

GORDON CHILDRESS,

Plaintiff,

-vs-

WILLIAM E. COONEY,

Defendant.

In the Circuit Court of  
Baldwin County, Ala

COMPLAINT.

Count one. The plaintiff claims of the defendant the sum of NINTY-NINE and no/100 DOLLARS for that on towit the twenty-fifth day of August, 1936 about 2  $\frac{1}{2}$  miles north of the Oak Road on Alabama Highway number Three, a public highway in the state of Alabama the defendant negligent drove an automobile upon or against the plaintiff's two year old Herford bull, killing said bull to the plaintiff's damage in the amount of Ninty-nine dollars as aforesaid.

Wherefore plaintiff sues.

E. S. Richardson  
Atty for Pl.

Plaintiff demands a trial by jury

E. S. Richardson  
attly for Pl



RECORDED

Duck

7-5-66

Filed Sept. 24, 1936

R. S. Duck,

Clerk

[illegible]

THE STATE OF ALABAMA,  
Baldwin County.

By virtue of the within execution, I have at -----

o'clock, --- M., this --- day of --- 193 --- levied

Sheriff

COLLECTION COSTS FROM

The State of Alabama, {  
BALDWIN COUNTY

I hereby certify that the within  
and costs in this case are correct, and there was  
----- waiver of exemption as to personal pro-  
perty under the Constitution and Laws of Ala-  
bama.

This ----- day of ----- 193 -----

----- Clerk.

Received in office ----- 6-16-39

----- 193 -----  
W.R. Stuart  
----- Sheriff

Sheriff's Execution Docket, Page 306

Sheriff's Fee Book, ----- Page -----  
Returned 9-15-39 no property  
of Gordon Children found in  
Baldwin County -  
W.R. Stuart Sheriff  
By John R Davis D.S.

6-16

No. 306 Page -----

THE STATE OF ALABAMA,  
BALDWIN COUNTY  
CIRCUIT COURT

Gordon Childress  
Plaintiff --  
vs.

Wm. E. Cooney  
Defendant --

Civil Execution for Costs  
Against Plaintiff

Costs ----- \$ 66.25

Civil Fee Book Page 306

Execution Docket ----- Page -----

Filed ----- June 16, 1939  
R.S. Duct Clerk.

E. M. Richardson, Jr.  
Plaintiff's Attorney

Buck, Hall & Buck  
Defendant's Attorney

GORDON CHILDRESS,

Plaintiff,

VS.

WILLIAM E. COONEY,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

Now comes the Defendant and for answer to the Plaintiff's complaint and to each allegation therein, separately and severally, says:

1. That the facts therein alleged are untrue.
2. That he is not guilty.

3. That on the occasion of the collision he was driving his car Northwardly on the highway leading from Foley to the Gulf; that he had his car under perfect control, brakes in good mechanical order, and his lights on bright; that he was traveling approximately thirty (30) miles per hour on a straight strip of the road; that the said bull came suddenly from the side of the road in front of his car; that he used every means possible, applying his brakes to stop his car, but the animal was so close that it was impossible for him to avoid striking it; that the Defendant was not negligent in any manner, but that the collision was absolutely unavoidable.

Becher & Becher  
Attorneys for the Defendant.

RECORDED *Dash*  
8-118

ANSWER:

GORDON CHILDRESS,

Plaintiff,

VS.

WILLIAM E. COONEY,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

*Filed Sept. 25, 1936*  
*R.S. Dush, Clerk.*

The State of Alabama,  
Baldwin County

S. D. Page No. \_\_\_\_\_

CIRCUIT COURT

Case No. 386

Fall

Term, 1938

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

William Lee Major Jones,  
Billie Burmaster

if to be found in your County, at the instance of the

plaintiff

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by 8:30 o'clock of the forenoon, on the 13<sup>th</sup> day of Sept 1938, and from day to

day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain

cause pending, wherein

Dorcas Childress

Plaintiff

and William E. Cooney Defendant.

Herein fail not, and have you then and there this Writ.

Given under my hand and seal, this

3<sup>rd</sup>

day of

Sept

1938

R. S. DUCK

clerk, - register

CLERK.

By

Near Alex Thompson  
Deputy

Received in office this \_\_\_\_\_ day of

193

SHERIFF

I have executed this writ

By serving a copy  
of within writ on  
William Lay Major  
Jones, Belle  
Burraster

9/8/38

M. H. Williams  
B. L. Green SHERIFF

D 8

Stanhope

ORIGINAL

No. 306

Page

28

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

Loedon Childress

Plaintiff

VS.

William E. Rooney

Defendant

CIVIL SUBPOENA

Issued this

3rd

day of

Reg. DUCK

clerk, - register

193

By

Dan Alice Thompson

Deputy

Clerk.

# Transcript of Civil Cases from Justice's Court of

County, Ala.

## ATTORNEYS

## NAMES OF PARTIES

## CAUSE OF ACTION

## ITEMIZED BILL OF COSTS

*E. L. Richard*

*Warden Ashbless*

*Not*

*Plaintiff claims the*

*William E. Pearson*

*Defendant filed his*

*bill by negligently*

*letting the bill expire*

*during his car.*

*Plaintiff claims damage*

## DISPOSITION OF CASE

*Bond and Affidavit filed*

*Summons and Complaint Issued Ret.*

*Ret. Executed by Henry Watson*

*Leave the Defendant and after hearing the*

*evidence the court gave the Plaintiff*

*Judgment against Defendant for \$99.00*

*and changed the Defendant with court cost*

*\$8.75*

*Witness Willie Wright*

*Me per Jones*

*Billie H. Hunsicker*

## JUSTICE'S FEES

*\$ 50*

*1.00*

*45*

*50*

*50*

*50*

*50*

*1.00*

*50*

*50*

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WASHER,

GORDON CHILDRESS,

VS.

WILLIAM E. COONEY,

Defendant.

GORDON CHILDRESS,

As

WILLIAM E. COONEY,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

Now comes the Defendant and for answer to the Plaintiff's complaint and to each allegation therein, separately and severally, says:

1. That the facts therein alleged are untrue.

2. That he is not guilty.

3. That on the occasion of the collision he was driving his car Northwardly on the highway leading from Foley to the Gulf; that he had his car under perfect control, brakes in good mechanical order, and his lights on bright; that he was traveling approximately thirty (30) miles per hour on a straight strip of the road; that the said bull came suddenly from the side of the road in front of his car; that he used every means possible, applying his brakes to stop his car, but the animal was so close that it was impossible for him to avoid striking it; that the Defendant was not negligent in any manner, but that the collision was absolutely unavoidable.

*Robert Lee Debe*  
Attorneys for the Defendant.

ANSWER:

GORDON CHILDRESS,

Plaintiff,

VS.

WILLIAM E. COONEY,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

Now comes the Defendant and for answer to the Plaintiff's complaint

and to each allegation therein, respectively and severally, says:

1. That the facts therein alleged are untrue.

2. That he is not guilty.

3. That on the occasion of the collision he was driving his car

Northwardly on the highway leading from Foley to the Gulf; that he had his

car under perfect control, brakes in good mechanical order, and his lights

on bright; that he was traveling approximately thirty miles per hour

on a straight strip of the road; that the said bull came suddenly from the

side of the road in front of his car; that he used every means possible

applying his brakes to stop his car, but the animal was so close that it was

impossible for him to avoid striking it; that the Defendant was not negligent

in any manner, but that the collision was absolutely unavoidable.

*William E. Cooney*  
Attorney for the Defendant.

STATE OF ALABAMA,)  
BALDWIN COUNTY. )

Before me the undersigned authority, within and for said State and county, personally appeared Wm H Leigh on Day, who on oath deposes and says: That he has been paid witness fees due him in the case of Gordan Childress vs. William E. Cooney; and that he has no further claim in said case.

Wm H Leigh

Sworn to and subscribed to  
before me, this the 21st  
day of May, 1941.

R. D. Smith  
Notary Public

E.

STATE OF ALABAMA,  
BALDWIN COUNTY.

Before me, the undersigned authority, within and for said State and County, personally appeared GORDON CHILDRESS, who being by me first duly and legally sworn, on oath deposes and says that he is the owner of Civil Witness Certificates Numbers 2095, 2096, 2151, 2152, 2185, 2205, 2212, 2305; in the amount of 32.70, and that said witness certificates have been lost and have not been sold; and he hereby makes application for duplicates.

G. B. Childress

Sworn to and subscribed  
before me this the 21st  
day of August, 1939.

Handwritten Signature  
Deputy Clerk of the Circuit  
Court of Baldwin County, Ala.

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred.

Gill Ptg. & Sta. Co., Mobile—Re-Order No. 720

THE STATE OF ALABAMA

BALDWIN COUNTY

S.D. Page No.....

Case No. 306

CIRCUIT COURT

Spring Term, 1939

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon

(Foley)  
William Lay, Major Jones, Billie  
Bennister (F. Lopez)

if to be found in your County, at the instance of the Plaintiff

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by 8:30 o'clock of the forenoon, on the 12 day of April 1939

and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to

say, in a certain cause pending, wherein Gordon Childress Plaintiff

and William E. Cooney Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 16 day of March 1939

R. S. DUCK

clerk - register

Clerk.

R. S. Duck  
Deputy

Received in office this 16<sup>th</sup> day of

March

1939

W.R. Stuart

Sheriff.

I have executed this writ

M.B. Jones 3-31-39

Willie Lay 3-31-39

Billie Hussister 4-6-39

July v. Lantier

ORIGINAL

No. 306

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

Gordon Childress

Plaintiff

VS.

William E. Cooney

Defendant

CIVIL SUBPOENA

Issued this 16 day of

March 1939

clerk, - register

By Justice Thompson

Clerk.

W.R. Stuart

O.B.

Sheriff.

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

KNOW ALL MEN BY THESE PRESENTS, That We, WILLIAM E. COONEY, as Principal, and the undersigned, as Sureties, are bound unto GORDON B. CHILDRESS in the sum of ONE HUNDRED FIFTY (\$150.00) DOLLARS for the payment of which we bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated this the 12<sup>th</sup> day of September, 1936.

The condition of the above obligation is such that on the 10th day of September, 1936, Jerome Price, a Justice of the Peace, in and for said County, rendered a judgment in favor of the said Gordon B. Childress against the said William E. Cooney, for the sum of Ninety-nine (\$99.00) Dollars and costs, from which judgment the said William E. Cooney has applied for and obtained an appeal to the next term of the Circuit Court of Baldwin County, Alabama; if the said William E. Cooney shall prosecute said appeal to effect, or, if he fail in said appeal, shall pay such judgment as may be rendered against him by the said Circuit Court of Baldwin County, Alabama, then in either of said events, this obligation to be void, otherwise to remain in full force and effect.

William E. Cooney (SEAL)

Arthur A. Rich (SEAL)

O. F. King (SEAL)

M. C. Worley (SEAL)

Taken and approved this the  
15 day of September, 1936.

Jerome Price  
Justice of the Peace, Baldwin  
County, Alabama.



RECORDED  
Duck  
7-566

Filed Sept. 24, 1936  
R. S. Duck  
Clerk