

396

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon J. B. CHILDRESS 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 the same, then and there to answer the complaint of JOHN E. SOESBE and FRED C. SOESBE, co-partners, doing business as FOLEY BAKERY.

WITNESS my hand this 26 day of October, 1937.

R. S. Duck

Clerk

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JOHN E. SOESBE and FRED C. SOESBE, co-partners, doing business as FOLEY BAKERY,

Plaintiffs.

vs.

J. B. CHILDRESS,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

COMPLAINT

Plaintiffs claim of the Defendant FOUR HUNDRED TEN & 00/100 (\$410.00) DOLLARS due from him on account stated between Plaintiffs and the Defendant on the 6th day of April, 1936, which sum of money, with the interest thereon, is still unpaid.

Stan Thomas

Attorney for Plaintiffs

RECORDED *Duch*
2-1853

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

JOHN E. SOESBE and FRED C.
SOESBE, co-partners, doing
business as FOLEY BAKERY,

Plaintiff,

vs.

J. B. CHILDRESS,

Defendant.

SUMMONS AND COMPLAINT

Filed October 26, 1937.

R.S. Duch, Clerk.

LLOYD A. MAGNEY
Attorney
Foley, Alabama.

Rec. in office
9/27/37

(166)

W. H. Wilkins
Receivd

Presented Oct 29th 1937

by receiving copy of within Summons and
Complaint on

J.B. Childress

W. H. Wilkins

John R. Davis

Sheriff

Deputy Sheriff

CIRCUIT COURT

The State of Alabama,

No. 396

Barbour 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

J. B. Childress

Defendant,

you cause to be made the sum of

DOLLARS,

which *John E. Soesbe, + Fred C. Soesbe, co-partners doing business as Foley Baking*

Plaintiff,

recovered of on the *1st* day of *March*, 19*39*, by the Judgment of our Circuit Court held for the County of

DOLLARS,

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

Interest from, 19, to, 19

Witness, my hand this *25* day of *October*, 19*39*, *R. S. Duch* Clerk.

CLERK'S FEES		AMOUNT	SHERIFF'S FEES		AMOUNT		
Issuing.....	Summons and Complaint.....	\$1. 25	125	Serving and Returning.....	Summons..... ^{Within} \$1. 50	150	
Issuing.....	copies of same.....	.30	30	Serving and Returning.....	Writs.....	1. 30	
Issuing.....	Branch Summons and Complaint.....	1. 25		Serving and Returning.....	Subpoenas for..... Wit.	.65	
Issuing.....	copies of same.....	.30		Levying.....	Attachment.....	3. 00	
Entering.....	Sheriff's Return or copy of above.....	.20	20	Entering and Returning.....	Attachment.....	.25	
Docketing Cause.....		.25	25	Summoning and Returning.....	Garnishee.....	1. 50	
Entering.....	Appearances.....	.20		Serving and Returning.....	Sci. Fas..... Notices	1. 50	
Filing.....	Pleas..... Demurrers.....	.10	20	Impaneling Jury.....		.75	
	Affidavits, Certified.....	.25		Collecting Cost, Execution.....	^{Stuart}	1. 50	150
	Commissions to take Depositions.....	.75		Taking and Approving.....	Replevin Bonds.....	1. 00	
	copies of Interrogatories.....				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	30		Detinue Bond.....	1. 00	
	Continuances.....	.10	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 Restitution.....		2. 00	
Issuing.....	Execution.....	.50	50	Sheriff's Commissions.....			
Entering.....	Sheriff's Return of Execution.....	.20	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.....		3 00	
Taking.....	Bonds.....	.75		WAIVER..... NO WAIVER.....			
Filing.....	Bonds.....	.10		RECAPITULATION			
Issuing.....	Attachment Writ... and taking Bond.....	1. 00		Judgment for..... for.....			
Filing.....	Attachments.....	.10		Interest from.....			
	Summons of Garnishee.....	.50		Damages.....		6 30	
Swearing and Ent.....	Answer of Garnishee.....		3 00	Clerk's Fees.....		3 00	
Complete Record, 15c per 100 words.....				Sheriff's Fees.....			
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.....		3 00	
				Trial Tax.....			
TOTAL CLERK'S FEES.....			6 30	TOTAL FEES.....		12 30	

The State of Alabama,

Baldwin COUNTY.

CIRCUIT COURT.

John E. Soebbe & Fred C. Soebbe,
Doing business as Foley Bakery
Plaintiff
VS.
J. B. Childress
Defendant

CIVIL EXECUTION FOR COSTS
AGAINST DEFENDANT

Judgment for for \$
Interest from 19, 19, to 19, \$
Damages \$
Costs \$12.30
Total \$12.30
Civil Fee Book *Exhibit* page 396
Execution Docket " Page " 11

Filed May 25, Oct. 10, 1939

Lloyd A. Maguey
Plaintiff's Attorney
Buck, Nash & Beck
Defendant's Attorney

COLLECT COSTS FROM
DEFENDANT

The State of Alabama,
COUNTY.

I hereby certify that the within Judgment and costs in
this case are correct, and there was a waiver of exemp-
tion as to personal property under the Constitution and
Laws of Alabama.

This day
of 19

Clerk.

Received in Office

19

Sheriff.

Sheriff's Execution Docket, page

Sheriff's Fee Book, page

The State of Alabama,
Baldwin COUNTY.

By virtue of the within Execution, I have, at

o'clock

M., this 8

day of

19

Sheriff.

PLAINTIFF'S WITNESSES

AMOUNT

DEFENDANT'S WITNESSES

Total

John Saesbe
et al

Plaintiffs

vs.

J B Childress

Circuit Court
Bosman County
Ala.

At Law

It is agreed in the above
styled cause that said cause
be settled as follows:

Defendant shall pay to
Plaintiff in full settlement
of the claim sum of the
sum of \$70.50 (Two Hundred
Five dollars) payable \$50⁰⁰
Oct 1, 1938 & 50 each month
thereafter.

Defendant to pay cost
This Aug 18, 1938

For magister
Ally for Plffs
Pres. W. H. B. B. B.
Ally for Def

JOHN E. SOESBE and FRED
C. SOESBE, co-partners,
doing business as FOLEY
BAKERY,
Plaintiffs,

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

vs.

J. B. CHILDRESS,
Defendant.

Comes the defendant in the above styled cause, and
answering plaintiff's complaint, says that the matters therein
alleged are untrue.

Bebe Hall & Bebe
Attorneys for Defendant.

The defendant demands a trial
by Jury of the foregoing cause.

Bebe Hall & Bebe
Attorneys for Defendant.

Duck
RECORDED 8-154

JOHN E. SOESET and FRED
C. SOESET, co-partners,
doing business as FOLEY
BAKERY,

Plaintiffs,

vs.

J. B. CHILDRRESS,
Defendant.

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

ANSWER.

Filed November 2, 1937.

Jo Duck
Clerk.

The State of Alabama, {
Baldwin County

396

KNOW ALL MEN BY THESE PRESENTS, That we, S. H. Fried, as Principal

and UNITED STATES FIDELITY AND GUARANTY CO., OF BALTIMORE, MARYLAND

are held and firmly bound unto G. W. Boyington

in the sum of One Thousand Dollars, for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated this 25th day of October 1937.

The condition of the above obligation is such that whereas the said S. H. Fried

did, on the 19th day of October 1937 sue out of the Circuit Court of Baldwin County, Alabama

a writ of detinue directed to any Sheriff of the State of Alabama commanding him to take into his possession the following property, to-wit: Truck; trailer; oxen 4 head and two yokes and four bows; and all equipment that goes with the truck including flares, binders, chains, jack, extra tires, etc; the above described truck being a Chevrolet six cylinder dual wheel truck, motor number 76044756, serial number RD028186. Said trailer being a two-wheel homemade trailer.

which said writ was placed in the hands of M. H. Wilkins, Sheriff of Baldwin County, Alabama, on the 20th day of October 1937, and executed by him on the 20th day of October 1937, by taking into his possession the following property, to-wit:

Truck; trailer; oxen 4 head and two yokes and four bows; and all equipment that goes with the truck including flares, binders, chains, jack, extra tires, etc., the above described truck being a Chevrolet 6 cylinder, dual wheel truck, motor number 76044756, serial number RD028186. Said trailer being a two-wheel homemade trailer.

And whereas the said G. W. Boyington, Defendant in said writ, has failed and neglected for the space of five days from the execution of said writ to give bond and take possession of said property as authorized by law.

Now if the said S. H. Fried upon his failing in said suit shall deliver the said property to the Defendant within thirty days after judgment and pay all damages for the detention of the property and costs of suit, then this obligation to be void, otherwise to remain in full force and effect.

S. H. Fried
 UNITED STATES FIDELITY & GUARANTY COMPANY

BY [Signature]

ATTY.-IN-FACT

(SEAL)

(SEAL)

(SEAL)

Taken and approved this 26th day of October 1937

M. H. Wilkins

Sheriff, Baldwin County, Ala.