

The State of Alabama, }  
Baldwin County

Circuit Court, APRIL Term, 19 37

BANK OF FAIRHOPE,

PLAINTIFF.

Vs.

ROY HUDSON,

DEFENDANT.

I, R. S. Duck, Clerk of the Circuit Court of Baldwin County,

Alabama, do hereby certify that on the 14th day of April, 19 37,

a Judgment was rendered by said Court in the above stated cause, wherein

BANK OF FAIRHOPE

was Plaintiff and

ROY HUDSON

was Defendant, in

favor of the said Plaintiff and against the said Defendant for the sum of

THREE HUNDRED FIFTY & NO/100 (\$350.00) - - - - - DOLLARS,

and for the sum of SIXTEEN & NO/100 (\$16.00) - - - - - DOLLARS,

the costs in said suit and that Elliott G. Rickarby

is

the Attorneys of record for the Plaintiff  
in said cause.

Witness my hand this 29th day of April, 19 37

Clerk, Circuit Court, Baldwin County, Alabama.

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CERTIFICATE OF JUDGMENT

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BANK OF FAIRHOPE,

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\_\_\_\_\_, Plaintiff

Vs.

ROY HUDSON,

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\_\_\_\_\_, Defendant

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MOORE PRINTING CO., WAY MINETTE, ALA.

RS Lusk

BAY MINETTE, ALA.,

4/29 1937

City  
IN ACCOUNT WITH  
**G. W. ROBERTSON**  
Judge of Probate, Baldwin County

Please Return Bill With Remittance

Privilege Tax

Rec. Fee

Total

Deed  
Rec. Mert. from

Cert Jdgt. Denny Shope vs. Ray Hudson

40

and  
4-29-37  
SWP

## BOND

The State of Alabama, }  
Baldwin County

Circuit  
JUSTICE COURT

Know All Men by These Presents:

That we, Bank of Fairhope - Kirby Wharton and  
C. C. Baldwin

are held and firmly bound unto Roy Hudson

in the sum of Eight hundred Dollars, to  
be paid to the said Roy Hudson his

heirs, executors, administrators, or assigns, for which payment, 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, firmly by these presents.

Sealed with our seals and dated the 5<sup>th</sup> day of November 1936

## THE CONDITION OF THIS OBLIGATION IS SUCH:

That whereas the above bounden Bank of Fairhope  
has commenced suit in the  
Circuit  
Justice Court of said County by summons and complaint, which have issued from said Court, to recover of said Roy Hudson

in the sum of Four hundred Dollars,

and has on the day of date hereof, prayed that Writ of Garnishment issue out of said Court to

the Bank of Fairhope  
summoning it to answer what it's indebted to said Defendant, or what effects of said

Defendant it has in its possession, or under its control; and said Plaintiff having made oath as required by law in such cases, said Writ is about to issue out of said Court, returnable to the next term of the Circuit Justice Court to be holden for Baldwin County.

NOW, if the said Plaintiff shall prosecute the garnishment to effect, and pay the Defendant all such costs and damages as he may sustain, by reason of the wrongful or vexatious suing out of this Garnishment, then this obligation to be void: otherwise to remain in full force and effect.

And we and each of us hereby waive all rights of claims of exemption we or either of us have now, or may hereafter have, under the Constitution and Laws of Alabama, and we

hereby severally certify that we have property free from all incumbrance, to the full amount of the above bond.

Bank of Fairhope  
By Kirby Wharton Cashier (Seal)  
Kirby Wharton (Seal)  
C. C. Baldwin (Seal)

Approved, this 6 day of November 1936

Asst. Clerk

J. P.

Clerk.

The State of Alabama, } Before me Clarence S. Ringland a  
Baldwin County } notary public Precinct \_\_\_\_\_

in and for said County, personally appeared Dirby Wharton cashier of the  
Bank of Fairhope

who, being duly sworn, doth depose \_\_\_\_\_ and say \_\_\_\_\_ that \_\_\_\_\_  
Ray Stinson is

indebted to said Bank in the sum of Four hundred Dollars,

and that it has commenced on suit by summons and complaint on said  
indebtedness against the said Ray Stinson

and that The Bank of Fairhope is

supposed to be indebted to the said Defendant \_\_\_\_\_, or to have effects of the said Defendant \_\_\_\_\_  
in its possession or under its control, and that he believes that process  
of Garnishment against the said Bank of Fairhope

is necessary to obtain satisfaction of said claim; and that the said Bank of Fairhope  
is believed to be chargeable as Garnishee in said cause; and that this Writ is not sued out for the  
purpose of vexing or harassing said Defendant \_\_\_\_\_, or other improper motives

Sworn to and subscribed before me this 5<sup>th</sup> day of December 1936

Clarence S. Ringland J.P.  
notary public

RECORDED

Book  
7-584

No. 116

The State of Alabama,  
BALDWIN COUNTY  
JUSTICE COURT

Plaintiff  
TO

Defendant  
Bond and Affidavit in Garnishment on Summons

Filed this the 6<sup>th</sup> day of December 1936

R. S. Dreck  
Clerk.

The State of Alabama,

Baldwin County

CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA--GREETING:

Whereas Bank of Fairhope

has commenced suit by Summons and Complaint returnable to the next term of the Circuit Court  
of said County, against Roy Hudson

for the sum of Four Hundred Dollars and whereas, the said

Bank of Fairhope

has entered into bond, and made affidavit as required by law that the said

~~Bank of Fairhope~~ Roy Hudson

is indebted to Roy Hudson in the sum of Four Hundred

Dollars, and that process of garnishment is believed to be necessary to obtain satisfaction of such  
judgment as may be recovered by Plaintiff, and that Bank of Fairhope

is believed to be chargeable as garnishee in the cause.

YOU ARE THEREFORE, commanded to summon the said Bank of Fairhope

within thirty days in the Circuit Court  
to be and appear at the term of the Circuit Court, tobe holden for the County of Baldwin, on 192...  
then and there to answer, upon oath, whether, at the time of the service of this garnishment, or  
at the time of making your answer, or at any time intervening between the time of serving the  
garnishment and making the answer, you were indebted to the defendant, and whether, you  
will not be indebted to him in the future by a contract then existing, and whether by a contract  
then existing, you are liable to him for the delivery of personal property, or for the payment of  
money which may be discharged by the delivery of personal property, or which is payable in  
personal property, and whether you have not in your possession or under your control money or  
effects belonging to the defendant.

Witness my hand this 6th day of November, 1936

R. A. Duck

Clerk.

7-583  
Auek  
No.

Circuit Court of Baldwin County

VS. } GARNISHMENT ON SUMMONS

Issued 6<sup>th</sup> day of Nov 1936

A. D. Auer, Clerk

Plaintiff's Attorney

Moore Printing Co. Bay Minette, Ala.

11-6-

E. D. Rickard & Co.  
for Bank of Europe.

M. H. Wilkins  
E. N. Anderson

Received in office  
11-6-36

M. H. Wilkins  
E. N. Anderson  
P.O.

We hereby accept service of notice of writ in garnishment this  
the 6<sup>th</sup> day of November 1936.  
Bank of Fairhope  
by E. D. Rickard & Co. atty.

THE STATE OF ALABAMA,  
Baldwin County.

No. \_\_\_\_\_ CIRCUIT COURT

193

To Any Sheriff of the State of Alabama :

You are hereby commanded to summon

ROY HUDSON

to appear and plead, answer or demur, within thirty day from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama at Bay Minette, Ala., against

Roy Hudson Defendant by Bank of Fairhope, a

corporation

Plaintiff

Witness my hand this 6 day of November, 1936

Clerk.

### COMPLAINT

BANK OF FAIRHOPE, a corporation Plaintiff versus ROY HUDSON

~~Plaintiff claims of the Defendant~~

~~Dollars, due by~~

ONE: The Plaintiff claims of the Defendant Four Hundred Dollars, damages for the conversion by him on, to-wit, the first day of November, 1936, of the following chattel, namely, to-wit, 2787 pounds of pecans, the property of the Plaintiff.

TWO: The Plaintiff claims of the Defendant Four Hundred Dollars for the use and occupation by him of the Northeast Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section Sixteen, Township Six South of Range Two East in Baldwin County, Alabama, belonging to the Plaintiff from the first day of March, 1935, to the sixth day of November, 1936.

All of which sums with interest thereon are still due and unpaid.

*Elliot L. R. R. R. R.*  
Plaintiff's Attorney.



11-6-36  
by serving copy of within summons and  
Complaint on *sent on*  
*E. H. Richarby as Atty*  
*for Bank of Baraboo.*

*M. H. Wilkins*  
*C. N. Anderson.*

*Received in office*  
*11-6-36*

*M. H. Wilkins*  
*C. N. Anderson*  
*P.S.*

RECORDED  
*Duck*  
*7-583*

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

Circuit Court of Baldwin County

vs. } GARNISHMENT ON SUMMONS

Issued *6<sup>th</sup>* day of *Nov.* 19*36*

*R. S. Duck,*  
Clerk

Plaintiff's Attorney

Moore Printing Co. Bay Minette, Ala.

*No. thirty eight service of notice of writ of garnishment this*  
*the 6<sup>th</sup> day of November 1936,*  
*Bank of Baraboo*  
*by E. H. Richarby its Atty.*

RECORDED  
*Duck*  
7-588

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

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT

BANK OF FAIRHOPE

A Corporation

PLAINTIFF

VS.

ROY HUDSON

DEFENDANT

Summons and Complaint

Filed, *11* *to* 193*4*

*R. S. Duck* Clerk.

Defendant Lives at

*3 miles east of Fairhope.*

Elliott G. Rickarby

Plaintiff's Attorney.

Defendant's Attorney

MOORE PRINTING CO., BAY MINETTE, ALA.

RECEIVED IN OFFICE

, 193

, Sheriff

I have executed this Writ

this *Nov. 9*, 193*4*

by leaving a copy of the within Summons and  
Complaint with

*Roy Hudson*

*M. H. Welkins*, Sheriff.  
*C. M. Anderson*, Deputy Sheriff.

BANK OF FAIRHOPE, a Corporation,

Plaintiff,

-vs-

ROY HUDSON,

Defendant.

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

Comes the Defendant in the above styled cause, and demurs to the Complaint filed in said cause, and to each and every count thereof, separately and severally, and as grounds therefor says:-

1st. That said complaint does not state a cause of action.

Hyatt & Chason  
Attorneys for Defendant.

Defendant demands a trial of this cause by Jury.

Hyatt & Chason  
Attorneys for Defendant.

RECORDED  
INDEXED  
7-5-88  
Auck

DEMURRER.

BANK OF BALTIMORE, a cor-  
poration,

Plaintiff,

-VS-

ROY HUDSON,

Defendant.

IN THE CIRCUIT COURT--LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Filed December 5, 1936

*G. S. Auck*

Clerk.

To cause a writ of writ of habeas corpus to issue.

NOTICE

On this 5th day of December 1936

*G. S. Auck*  
Clerk of the Court

(320)

**THE STATE OF ALABAMA,**  
**BALDWIN COUNTY.**

CIRCUIT COURT OF

No. 320

Judgment

Term, 1937

Bank of Fairhope

VS.

Ray H. Hulse

DEAR SIRs—At the

Term, 1937, of the above Court

recovered a judgment against

for the sum of

Dollars,

besides

Dollars, costs of suit and execution

was duly issued thereon, commanding any Sheriff of the State that he cause to be made of the goods and chattels, lands and tenements of said

the amount of judgment and costs, and the Sheriff has returned said execution endorsed, "No Property Found," and the costs have not yet been paid. I herewith give below an itemized statement of the costs which have accrued in this cause, and respectfully request that you will, on receipt of this, remit the amount and save the additional expense of an execution against you. If I do not hear from you in a few days I will be forced to issue an execution for costs. Please return this with remittance. Respectfully yours,

Clerk.

CLERK'S FEES		Dollars	Cts	AMOUNT BROUGHT FORWARD		\$
Issuing Summons and Complaint	\$1 25	1	25	Transcript to Supreme Court, 15c per hundred words		
Copies of same, when over 200 words, 15c; per 100	30		30	Copies, 5c per hundred words		
Issuing Alias Summons and Complaint	1 25			Citation to Appellee in Appeal, 20c per hundred words		
Entering Sheriff's Return on Summons and Complaint	20		20	Certificate with Seal, 50c. Without Seal	25	
Docketing Cause 25c. Ent. Appearance 20c	45		45	Witness Certificate	25	
Subpoena for Witness	30		30	Taking Bond Not Above Mentioned	75	
Making Certificate of Judgment	50		50	Entering Order of Court not above named	30	
Filing	10		10	Administering Oath	25	
Trial and Incidents	75		75	Taking Bond for Costs of Non-Resident Plaintiff	75	
Entering Judgment, or copy of same	30		30	Copy of any paper not above named, 15c per hundred words		
Order for Continuance	10		10	Filing Writ of Prohibition and Entering Return	15	
Issuing Execution	50		50	Issuing Writ of Prohibition	75	
Docketing Execution	25		25	Issuing copies of same, 15c per 100 words		
Issuing copy of same	50		50	Filing Mandamus and Entering Return	15	
Entering Sheriff's Return on Execution, 15c per hundred words	20		20	Issuing Writ of Mandamus	75	
Final Record, 15c per hundred words				Issuing copies of same, 15c per 100 words		
Order for Alias Summons and Complaint	30	4	00	Total Clerk's Fees		
Order to Dismiss Cause	30		30	SHERIFF'S FEES		
Order to Set Aside Dismissal	30		30	Serving and Returning Summons	\$1 50	1 50
Order Overruling Motion to Set Aside Dismissal	75		75	Serving and Returning Subpoenas	65	
Order Granting New Trial	30		30	Collecting Execution for Costs	1 50	
Order Overruling Motion for New Trial	30		30	Serving and Returning Sci. Fa. Notice, etc.	65	
Order Overruling Motion for Continuance	30		30	Executing Writ of Possession	2 50	
Order Overruling Motion to Set Aside Default	30		30	Levy Attachment	3 00	
Order for Notice to Non-Resident Defendant	30		30	Entering and Returning Attachment	25	
Issuing Notice for Publication and Copy, 20c per hundred words				Entering and Returning Execution	25	
Order to Give Security for Costs	30		30	Summoning and Returning Garnishee	1 50	1 50
Order to Give Additional Bond	30		30	Taking and Approving Garnishee Bond	75	
Order to Execute Writ of Inquiry	30		30	Serving and Returning Writs	1 50	
Order of Sale in Attachment	30		30	Serving and Returning Summons on Forcible Entry	1 00	
Order for Leave to Amend Complaint	30		30	Executing Writ of Restitution in such cases	2 00	
Order for Leave to Amend Pleas	30		30	Taking and Approving Bonds of Every Kind	1 00	
Order for Leave to Amend Writ of Process	30		30	Taking and Approving Claim Bond	1 00	
Order for Attachment for Witness	30		30	Taking and Approving Forthcoming Bond	1 00	
Filing Deposition	10		10	Taking and Approving Bail Bond	1 00	
Issuing Commission to Take Deposition	75		75	Taking and Approving Plaintiff's Detinue Bond	1 00	
Issuing copy of same, 15c per 100 words				Taking and Approving Defendant's Detinue Bond	1 00	
Issuing Copy of Interrogatories, 15c per hundred words, but not less than	50		50	Making Deed	2 50	
Endorsing each Pet. Deposition Opened	10		10	Serving Attachment for Contempt of Court	1 50	
Taking Bond in Garnishment on Summons	75		75	Collecting Money on Execution		
Summons to Garnishee	50		50	Empanelling Jury	75	
Copies of same, 20c per hundred words				Sheriff's Commission for Property Sold Under Attachment		
Notice to Defendant in Garnishee on Summons, and copy, 20c per 100 words				Seizing Personal Property on Writ of Detinue	3 00	
Swearing Garnishee and Recording Answer, 15c per hundred words but not less than	50		50	Total Sheriff's Fees		3 00
Filing Attachment	10		10	RECAPITULATION		
Issuing Attachment Writ and Taking Bond	1 00		1 00	Judgment		
Issuing Copies of Attachment Writ, 15c per hundred words				Interest		
Filing Certiorari and Entering Return	15		15	Clerk's Fees		9 65
Taking Certiorari Bond and Filing Same	75		75	Sheriff's Fees		3 00
Issuing Writ of Certiorari	75		75	Justice's Fees		
Issuing copies of Same, 15c per 100 words				Constable's Fees		
Issuing Writ of Scieri Facias or Notice in Nature of	75		75	Witnesses' Fees		
Issuing copies of same, 15c per 100 words				Commissioner's Fees		
Taking Supersedeas Bond and filing same	75		75	Printer's Fees		
Taking Appeal Bond and filing same	75		75	Stenographer's Fees	5 00	
				Answer of Garnishee		3 00
				Trial Tax	3 00	
<b>TOTAL FORWARDED</b>				<b>Total</b>	\$	15 75

Received Payment this day of 1937

ATTEST:

Clerk Circuit Court, Baldwin County, Ala.