

The State of Alabama, {
Baldwin County

354

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

Summon John Sims

to appear before me on the 1st day of May 1937, next, at my office in
at the court house at Bayminette Baldwin County, Alabama, to answer the complaint of
Artie Sims

and then and there make a return of this summons.

Issued the 20th day of April 1937

J. M. Franklin
W.F. EX-O Justice of Peace.

COMPLAINT

<u>Artie Sims</u>	VS.	<u>John Sims</u>
Plaintiff		Defendant.

The Plaintiff claims of the Defendant the sum of Eleven and 50/100 Dollars
For money paid on furniture due by John Sims for which John Sims
was to pay Artie Sims or give him the Furniture

Artie Sims Plaintiff's ~~mark~~
mark

Executed by personal service and notice

of Garnishment on

John Sims

this 21st day of April 1937

M. W. Wilkins Sheriff

By Louise Bryan D.C.

RECORDED
No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN THE JUSTICE COURT OF

J. M. Franklin

May Term, 1937

SUMMONS and COMPLAINT

Artie Sims

Plaintiff..

vs.

John Sims

Defendant..

The Defendant is hereby notified that Writ of
Attachment

XXXXXXXXXX
Garnishment has been served on

John Sims

J. M. Franklin N.P. EX-0 J. P.

Location _____

MOORE PRINTING CO.
Filed May 7, 1937.
R. S. Dulek Clerk

ATTORNEYS	NAMES OF PARTIES	CAUSE OF ACTION	ITEMIZED BILL OF COST
H.M.Hall, Atty for Plaintiff	Artie Sims V-S John Sims	collect money due	JUSTICE'S FEES 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.. 50 Certificate not otherwise provided for 25 Docketing Cause 10 Judgment on Forthcoming Stay or Replevin 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 Sheriff's Fees CONSTABLE'S FEES Civil Cases Serving 1 Summons 1.50 Serving Summons on Each Witness 25 Serving Garnishment 25 Levying Execution under \$50 00 1 00 Levying Attachment under \$50.00..... XXXX 3.00 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 \$4.50 WITNESS' FEES Witness Days 50 Garnishee's Fee
Orvis M Brown Atty for Deft	Come the parties to this cause and their attorneys and hearing of the facts in the case was had after which a judgement was rendered against the defendant and in favor of the plaintiff for eleven and 50/100 dollars and cost. The defendant gave notice of appeal to circuit court, bond was fixed at \$50.00	Ret. Executed By M.H.Wilkins, Sheriff	

RECORDED

Filed May 7, 1937.
R. L. Dick Clerk

STATE OF ALABAMA,
Baldwin County.

IN THE JUSTICE COURT OF
J.M. Franklin

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETING:

Artie Sims

having complained on oath before me, J.M. Franklin, N.P. Ex-O. J.P.

a Justice of the Peace in and for Precinct No. 4, Baldwin County, Alabama, that

John Sims

is justly indebted to him in the sum of Eleven and 50/100

(\$11.50) Dollars, and has made affidavit and given bond as required by law; you are

hereby commanded to attach so much of the estate of John Sims

One new bedstead and bed spring, one new mattress and two cane bottom
chairs, new.

as will be of value sufficient to satisfy the complaint and costs; and such estate, unless replevied, you
will so secure that the same may be liable to further proceedings thereon, to be had before me on the

20th day of April 1937, at my office at the court house

at Dayminette, Ala Alabama, when and where you must make return

how you have executed this writ.

Witness my hand this the 20th day of April 1937

J.M. Franklin

N.P. Ex-O Justice of Peace
Precinct 4 Baldwin County, Ala.

WRIT OF ATTACHMENT

Artie Sims

PLAINTIFF

VS.

John Sims

DEFENDANT

IN THE JUSTICE COURT OF

J.M. Franklin

at

Bayminette

Alabama.

Issued 20th day of April 1937

J.M. Franklin
N.P.L.-O-Justice of Peace

MOORE PRINTING CO., BAY MINETTE, ALA.

*Filed May 7, 1937.
R. D. Duck Clerk*

*Executed by taking
into my possession
the property described
herein. This 21st
day of April 1937
J.W. Wilkins - Sheriff
By Lonnie Bryan DS*

The State of Alabama, BALDWIN County

Justice ~~COUNTY~~ COURT, May 1st, Term, 1937

KNOW ALL MEN BY THESE PRESENTS, That we, John Sims, Mr. Z. Hammond,
and R. R. Hail.

, are held and firmly bound unto the State of Alabama, in the sum of Fifty and NO/100 Dollars for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents.

Witness our hands and seals, this the 1st day of May 1937

The Condition of the above obligation is such, That, whereas, the above bounden S

John Sims was, on the 1st day of May 1937,
convicted in the County, of the offense/ judgment secured against him for the
amount of Eleven Dollars and 56/100 (\$11.50)

and by the judgment of said Court ~~sentenced to~~

And, whereas, the said John Sims
has this day prayed an appeal from said judgment to the Circuit Court of said County:

Now, if the said John Sims, shall appear at the next term of the Circuit Court, and from term to term thereafter until discharged, and abide by and perform whatever sentence may be adjudged in said Court against him, then the above obligation to be void; otherwise to remain in full force and effect.

Taken and

Approved this the 6th day
of May 1937

J. M. Franklin

N.P.Ex-C.J. ~~XXXXXX~~

John Sims (L. S.)
Mr. Z. Hammond (L. S.)
R. R. Hail (L. S.)

(L. S.)

The State of Alabama

BALDWIN County

JUSTICE
~~COUNTY~~ COURT

THE STATE
vs.

John Sims

APPEAL BOND

JOHN SIMS

W.L.HAMMOND

R.A.HAIL

SURETIES

Filed in the office of the Clerk of the Circuit
Court 7th day of

May, 1937

R. D. Duck Clerk

BAY MINETTE, ALA

3-6-37

M

R. S. Duck, Clerk, Circuit Court

THE BALDWIN TIMES

"Alabama's Best County's Best Newspaper"

Bank of Elberta, w. Mrs. Price

233 Words @ $3\frac{1}{2}$ ¢ — \$8.15

Published Every Thursday

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

ATTACHMENT

Publication as to Non-Residents for

STATE BANK OF ELBERTA,
Corporation, Plaintiff, Vs. MRS.
ADA PRICE, Defendant.

In the Circuit Court of Baldwin
County, Alabama, at Law, No. 1.

State of Alabama:
Baldwin County.

Before me, R. S. Duck, Clerk of
the Circuit Court of Baldwin Coun-
ty, Alabama, this the 8th day of
February, 1937, came H. M. Hall,
attorney for the Plaintiff in the
above entitled cause, and it ap-
pearing that certain property of
the said Defendant has been levied
upon, to-wit: The South Half of
lots 13 and 14 in Block 21 in the
town of Foley, being a subdivision
of Sections 28 and 29 in Town-
ship 7 South Range 4 East, by
virtue of an attachment issued from
my office returnable the 15th day
of March, 1937, and that said De-
fendant is a non-resident of this
state, it is therefore, ordered that
said notice of attachment and the
return thereof be given to the
said Mrs. Ada Price by publication
once a week for three successive
weeks before the said 15th day of
March, 1937, in the Baldwin
Times, a newspaper published in
said County, and a copy thereof
mailed to the said Defendant at
her place of residence.

Given under my hand this 8th
day of February, 1937.

R. S. DUCK, Clerk, Circuit
Court.

BEEBE, HALL & BEEBE, Soli-
citors for Plaintiff. 2-3t

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

J. H. Faulkner, being duly sworn, deposes and says that he is
the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay

Minette, Baldwin County, Alabama; that the notice hereto attached of

State Bank of Elberta vs
Mrs. Ada Price

Was published in said Newspaper for 3 consecutive weeks in the following issues:

<u>February 11,</u>	<u>1937</u>	Vol. <u>48</u>	No. <u>2</u>
<u>" 18,</u>	<u>1937</u>	Vol. <u>48</u>	No. <u>3</u>
<u>" 25,</u>	<u>1937</u>	Vol. <u>48</u>	No. <u>4</u>

Date of fourth publication Vol. No.

Subscribed and sworn before the undersigned this 6th day of

March, 1937
Mary Lou Fortenberry
Notary Public
Baldwin County, Ala.

J. H. Faulkner
Publisher

STATE BANK OF FLBERTA,
a Corporation,

Plaintiff,

VS.

MRS. ADA PRICE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 341.

DEMURRER.

Now comes the Defendant in the above entitled cause
and for demurrer to the Complaint says:

It does not state a cause of action.

J. B. Blackburn
Attorney for Defendant.

Defendant demands a trial of said
cause by jury.

J. B. Blackburn
Attorney for Defendant.

Duck
RECORDED
8-41

DEMURRER.

STATE BANK OF ALBERTA,
a Corporation,

Plaintiff,

VS.

MRS. ADA PRICE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW. NO. 341.

Filed on this the 10th day of
March, 1937.

A. L. Duck Clerk

The State of Alabama,

CIRCUIT COURT

Baldwin COUNTY.

July Term, 1937

No. 741 vs.

Mrs Ada Price

BILL OF COSTS

CLERK'S FEES		@	Amount	SHERIFF'S FEES		@	Amount
1	Issuing.....Summons and Complaint.....	\$1	25	1	Levying.....Attachment.....	\$3	00
2	Issuing.....copies thereof.....	30	50	2	Entering and returning.....Attachment.....	25	21
3	Making every copy thereof, when over 200 words, per 100 words.....	15		3	Summoning.....garnishee and return.....	1	50
4	Entering.....Sheriff's return or copy thereof.....	20	20	4	Serving.....Summons and Return.....	1	50
5	Docketing cause, to be charged but once.....	25	25	5	Serving.....Subpoenas.....	65	
6	Entering Appearance.....	20	20	6	Impaneling jury.....	75	
7	Filing.....pleas, demurrer and other pleadings, for each.....	10	100	7	Making deed.....	2	50
8	Every trial, with or without jury, and its incidents, not including judgments by default or nil dict.....	75		8	Serving Summons, forcible entry, etc.....	1	50
9	Entering.....Continuance (each).....	10		9	Executing writ of restitution or possession.....	5	00
10	Entering.....judgment, (each).....	30	30	10	Collecting execution for cost.....	1	50
11	Entering any other order of Court (each).....	30	30	11	Serving.....Sci. Fa., notices, etc.....	1	50
12	Issuing.....Scire Facias, or notice in the nature thereof (each).....	75	75	12	Serving any summons not provided for and return.....	1	50
13	Issuing.....Execution or copy thereof (each).....	50		13	Serving.....attachment for contempt.....	1	50
14	Entering return, or copy thereof, for each 100 words, 15 cts; but in no case less than.....	20		14	Taking and approving.....bond.....	1	00
15	Recording award of arbitrators, referees, auditors, etc., for each 100 words.....	15		15	Seizing personal property in detinue.....	3	00
16	Issuing execution or attachment thereon, and entering return.....	1	00	16	Collecting money under execution, 5% first \$200.00; 4% to \$500.00; 3% all over \$500.00.....		
17	Taking bond for certiorari supersedeas, or appeal, or copy thereof and filing same.....	75		17	Selling property attached, same for selling under execution.....		
18	Issuing.....Subpoenas for Witness (each).....	30		18	Former Sheriff's fees.....		
19	Administering an oath, not relating to a trial pending and certifying the same.....	25			Total Sheriff's Fees.....		32
20	Issuing.....Attachment and taking bond (each).....	1	00		RECAPITULATION		
21	Filing.....papers in attachment (each).....	10	10	1	Clerk's Fees.....		10 45
22	Issuing.....Summons for garnishee (each).....	50	50	2	Clerk's Fees.....		3 50
23	Swearing and taking examination for Garnishee and recording same, for each 100 words 15 cts; but not less than.....	50		3	Sheriff's Fees.....		
24	Order to advertise, or order of survey, or copy thereof.....	50	50	4	Sheriff's Fees.....		
25	Certificate of Judgment.....	50		5	Witness Fees in Circuit Court.....		
26	Recording each surveyor and surveyor's report or copy thereof, each 100 words 15 cts; but not less than.....	25		6	Justice of the Peace Fees.....		
27	Issuing.....Commission to take depositions, or copy thereof.....	75		7	Witness Fees, in Justice of the Peace Court.....		
28	Making copy of interrogatories accompanying commission.....	50		8	Commissioner's Fees.....		
29	Or for each 100 words,.....	15		9	Commissioner's Residence.....		
30	Filing.....packages of depositions (each).....	10		10	Constable's Fees.....		
31	Indorsing.....package of depositions, opened (each).....	10		11	Garnishee's Fees.....		8 15
32	Issuing.....writ of ad quod damnum or writ in the nature thereof.....	75		12	Printer's Fees.....		
33	Recording the return and inquest thereon.....	50		13	Stenographer's Fees.....		3 00
34	Or for each 100 words.....	15		14	Trial Tax.....		
35	Issuing.....Writ of certiorari, prohibition, mandamus, or writ in the nature thereof.....	75			Total Fees.....		16 70
36	Filing the same and entering return.....	15		15	Judgment.....		
37	Making a complete record of a cause or copy thereof, for each 100 words.....	15	5 00	16	Date.....		
38	Making copy of any paper not herein provided for, for each 100 words.....	15		17	Interest.....		
39	Making each certificate requiring the seal of office, and affixing seal.....	50		18	Damages.....		
40	Taking any bond not otherwise provided for.....	75			Total Judgment.....		
41	Making.....necessary certificates not otherwise provided for (each witness).....	25			Interest and Damages.....		
42	For certifying abstract, in lieu of fees for transcript under section 2851 of the Code.....	5	00		Grand Total.....		
43	Record for Supreme Court, for each 100 words.....	15					
44	Each additional copy thereof, for each 100 words.....	05					
45	Collecting money on judgments wherein said judgment has not been paid within 30 days after rendition, one half the per cent allowed sheriffs for same services for collecting money on execution.....						
	Total Clerk's Fees.....		10 45				

ATTACHMENT
PUBLICATION AS TO NON-RESIDENT.

STATE BANK OF ELEBERTA,
a Corporation,

Plaintiff,

VS.

MRS. ADA PRICE,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 341.

STATE OF ALABAMA,

Before me, R. S. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, this the 8th day of February, 1937, came H. M. Hall, Attorney for the Plaintiff in the above entitled cause, and it appearing that certain property of the said Defendant has been levied upon, to-wit: The South Half of Lots 13 and 14 28 and 29 in Township 7 South Range 4 East, by virtue of an attachment issued from my office returnable the ¹⁵8th day of March, 1937, and that said Defendant is a non-resident of this State, it is therefore, ordered that said notice of attachment and the return thereof be given to the said Mrs. Ada Price by publication once a week for three successive weeks before the said 15 day of

March, 1937, in the Baldwin Times, a newspaper published in said County, and a copy thereof mailed to the said Defendant at ^{her}his place of residence.

Given under my hand this 8th day of February, 1937.

Clerk, Circuit Court.

BEEBE, HALL & BEEBE,
Solicitors for Plaintiff.

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ATTACHMENT AFFIDAVIT AND BOND.

The State of Alabama {
Baldwin County

Before me, J.M. Franklin, N.P. Ex-O. J.P., a Justice of the Peace in and for
said county personally appeared Artie Sims
who being duly sworn, says that John Sims
justly indebted to Him
in the sum of Eleven and 50/100 DOLLARS
after allowing all just offsets and discounts, and the said John Sims is indebted
to him in the sum of \$11.50

and that this attachment is not sued out by him for the purpose of vexing or harassing the said Defendant.

Sworn to and subscribed before me this
20th day of April A. D., 1937
J.M. Franklin, N.P. Ex-O. J.P. Artie Sims
mark

STATE OF ALABAMA, {
Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, Artie Sims and the
undersigned

are held and firmly bound unto John Sims
in the sum of \$23.00 DOLLARS
to be paid unto the said John Sims
heirs, executors, administrators or assigns for which payment, well and truly to be made, we bind
ourselves and each of us, our heirs, executors, jointly and severally, firmly by these presents. And
the right of exemption under the Constitution and Laws of Alabama is hereby waived as to this Bond.

Sealed with our seals and dated this 20th day of April 1937

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas the above bound

Artie Sims

has on the day of the date hereof, prayed an attachment at the suit of John Sims

for the sum of Eleven and 50/100 DOLLARS

and has obtained the same, returnable before me at my office, on the 1st day of May 1937

Now, if the said plaintiff shall prosecute said Attachment to effect and pay the said Defendant
all such damages as he may sustain by the wrongful or vexatious suing out of
said Attachment, the above obligation to be void; otherwise to remain in full force and effect.

Approved this 20th day of April 1937
J.M. Franklin, N.P. Ex-O. J.P. Artie Sims (Seal)
mark (Seal)
John Sims (Seal)

The State of Alabama,
Baldwin County.

\$ 23.00

(Double the amount sworn to be due)

JUSTICE COURT OF

J.M. Franklin

May

Term, 19 37

Attachment Affidavit and Bond

Artie Sims

....., Plaintiff
Vs.

John Sims

....., Defendant

Filed 20th day of April 1937

Filed May 7, 1937.
R. L. Duck, Clerk.

Moore Printing Co.