

Transcript of Civil Cases from Justice's Court of _____ County, Ala.

ATTORNEYS	NAMES OF PARTIES	CAUSE OF ACTION	ITEMIZED BILL OF COST
457	Henry Pipkin		JUSTICE'S FEES
			Issuing Summons <u>detinue</u> \$ 50 50
			Issuing Alias Summons 50
	V-S	Suit in detinue to recover	Issuing .. 5.. Subpoena .. for each witness 15 75
			Issuing Execution and Taxing Cost... 50
	George Henderson, Jr	one Cow and Calf	Issuing Summons to Garnishee and taking answer 50
		Issuing Attachment Writ 50	
		Attachment Bond and Affidavit 1 50 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 10	
		Judgment on Forthcoming Stay or Replevin or Replevin Bond 50	
		Judgment on Summary Proceeding 75	
		Issuing Venire Facias 50 50	
		Transcript of Proceeding 50	
		Attending Trial or Right of Property 1 00	
		Sci. Fa. or notice in nature thereof 50 \$3.35	
		Making Return of Certiorari 50	
		 Notice to Defendant 15	
		Release 25	
	DISPOSITION OF CASE		sheriff's CIVIL FEES
	Bond and Affidavit Filed on 30 day of May 1938		Civil Cases
	Summons and Complaint Issued Ret. May 30th 1938		Serving 1... Summons <u>Detinue</u> & <u>Return</u> \$3.00 25
June 4th 1938			Serving 5.. Summons on Each Witness 65xxx 3.25x
	Ret. Executed By M.H.Wilkins, sheriff 5/30/38		Serving Garnishment 25
	Comes the said parties at Issue on the 4th day of		Levyng Execution under \$50 00 1 00
	May June 1938 and the allegations and proof being		Levyng Attachment under \$50.00 1 00
	heard, It was is considered by the court that the said		Making Money, 3 per cent, not less than ... 75
	Henry Pipkin recover of the said Gerorge Henderson, Jr,		Serving Notice, etc. on each party therein 25
	the cow and Calf claimed in his complaint, if the		Serving Sci. Fa. or other like Notice 50
	same is to be had, and if the same is not to be had, then		Taking Bail or other Bond 50
	he is to recover the sum of \$25.00 xxxxxxxx cost to		Keeping Property Levied on
	be paid by the defendant if he is cast in the suit.		WITNESS' FEES
			5.. Witness .. 1-- Dayx each 50 \$2.50
			Garnishee's Fee \$9.50

The State of Alabama }
Baldwin County }

CIRCUIT COURT

No. 457

August

Term, 193 8

To Any Sheriff of the State of Alabama:

You are hereby commanded to seize and deliver to _____

HENRY PIPKIN,

the following personal property, to-wit:

One cow and male calf:-- cow color--yellow-about
three years old:- calf color-red and yellow-about
three weeks old and unmarked; cow is marked smooth
crop in right ear and split in left ear;

which the said HENRY PIPKIN

on the 16th day of August 193 8 by the judgment of our

Circuit Court, held for the County of Baldwin, recovered of _____

GEORGE HENDERSON, JR.

if the same can be had; if not, you are hereby commanded that of the goods and chattels, lands and

tenements of the said GEORGE HENDERSON, JR.,

you cause to be made the sum of TWENTY-FIVE & NO/100 (\$25.00) Dollars,

the alternate value of the personal property, viz:

One cow and male calf:- cow color-- yellow-about
three years old;- calf color-- red and yellow--
about three weeks old and unmarked; cow is marked
smooth crop in right ear and split in left ear:-

Also the further sum of _____ Dollars

for the detention of the said property by the said _____

besides FORTY-THREE & 25/100 (\$43.25) Dollars,

costs of suit; and make return of this writ and the execution thereof according to law.

Witness my hand, this _____ day of August 193 8

Clerk.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

HENRY PIPKIN,
vs.
Plaintiffs

GEORGE HENDERSON, JR.
Defendants

Detinue Seizure and Execution

Issued _____, 193__
8

Clerk.

RECEIVED IN OFFICE

193__
8

Sheriff.

I have executed this Writ

this _____, 193__

by _____

Sheriff.

BILL OF COSTS

AMOUNT BROUGHT FORWARD		CLERK'S FEES	
10	Filing Attachment	1.25	Issuing Summons and Complaint
15	Issuing copies of same, per hundred words	30	Copies of same when over 200 words, 15c per 100
15	Transcript to Supreme Court, per hundred words	1.25	Issuing Alias Summons and Complaint
5	Copies, per hundred words	20	Entering Sheriff's Return on Summons and Complaint
20	Citation to Appellee in Appeal, per hundred words	45	Docketing cause, 25c. Ent. Appearance, 20c
25	Certificate with Seal, 50c. Without seal	30	Subpoena for witness
25	Witness Certificate	50	Making Certificate of Judgment
75	Taking Bond Not Above Mentioned	10	Filing
75	Entering Order of Court not above named	75	Trial and Incidents
30	Administering Oath	30	Entering Judgment, or copy of same
25	Taking Bond for Costs of Non-Resident Plaintiff	10	Order for Continuance
75	Copy of any paper not above named, per hundred words	50	Issuing Execution
15	Total Clerk's fees	25	Docketing Execution
0.20	SHERIFF'S FEES	50	Entering Sheriff's Return on Execution, 15c per 100 words
1.50	Serving and Returning Summons	20	Final Record, per hundred words
4.55	Serving and Returning Subpoenas	15	Final Record, per hundred words
1.50	Collecting Execution for Costs	30	Order for Alias Summons and Complaint
65	Serving and Returning Subpoenas	30	Order to Set Aside Dismissal
1.50	Collecting Execution for Costs	30	Order to Set Aside Dismissal
65	Serving and Returning Subpoenas	30	Order Overruling Motion to Set Aside Dismissal
25	Entering and Returning Execution	75	Dismissal
1.50	Summoning and Returning Garnishee	30	Order Granting New Trial
75	Taking and Approving Claim Bond	30	Order Overruling Motion for New Trial
1.00	Taking and Approving Forthcoming Bond	30	Order Overruling Motion for Continuance
1.00	Taking and Approving Plaintiff's Detinue Bond	30	Order Overruling Motion to Set Aside Default
1.00	Taking and Approving Defendant's Detinue Bond	30	Order for Notice to Non-Resident Defendant
1.00	Serving Attachment for Contempt of Court	30	Issuing Notice for Publication and Copy, per hundred words
1.50	Collecting Money on Execution	20c	Order to Give Security for Costs
75	Empanneling Jury	30	Order to Execute Writ of Inquiry
75	Sheriff's Commission for Property Sold under Attachment	30	Order for Leave to Amend Complaint
3.00	Seizing Personal Property on Writ of Detinue	30	Order for Leave to Amend Pleas
6.05	Total Sheriff's fees	30	Order for Attachment for Witness
25.00	JUDGMENT	10	Filing Deposition
8.20	Interest	75	Issuing Commission to Take Deposition
8.20	Clerk's fees	15	Issuing copy of same, per hundred words
6.05	Sheriff's fees	50	Issuing Copy of Interrogatories, 15c per hundred words, but not less than
9.50	Justice's fees	50	hundred words, but not less than
16.50	Constable's fees	10	Endorsing each Pet. Deposition Opened
3.00	Witnesses' fees	75	Taking Bond in Garnishment on Summons
3.00	Answer of Garnishee	20	Summons to Garnishee
3.00	Printer's fees	20	Copies of same, per hundred words
3.00	Stenographer's fees	20	Notice to Defendant in Garnishee on Summons, and copy, per hundred words
3.00	Trial Tax	20	Swearing Garnishee and Recording Answer, 15c per hundred words, but not less than
43.25	Total costs	50	TOTAL FORWARDED
25.00	less judgment		
18.25			

The State of Alabama,
Baldwin County

Know all men by these presents, That we, Henry Pipkin and the undersigned

~~sureties~~ sureties

are held and firmly bound unto George Henderson, Jr

of Baldwin County, in the sum of Thirty and No/100

Dollars, and costs to be paid by the said Henry Pipkin

heirs, executors, administrators or assigns; for which payment well and truly to be made, we bind ourselves and each of us, and each of our heirs, executors, administrators, jointly, severally and firmly, by these presents.

Sealed with our seals and dated this 30th day of May 1938

The condition of the above obligation is such that, whereas the above bound Henry Pipkin

Has

on the day of the date hereof, hath obtained at the suit of Detinue

a Summons and Complaint for the recovery of personal chattles in specie against

George Henderson

and asks an endorsement by the Justice of the Peace, "That the Constable is required to take the property mentioned in said complaint into his possession" as required by law in such cases, which Summons and Complaint are returnable before the 4th day of June 1938

and which endorsement is made upon the plaintiff entering into this Bond.

Now if the said plaintiff shall fail in this suit and shall pay the Defendant all such costs and damages as He may sustain by reason of the wrongful complaint in said cause, then this obligation to be void; otherwise to remain in full force and effect.

Approved this 30th

day of May 1938

J. M. Fausch not a. J. P.

Seal

Seal

Seal

The State of Alabama, }
Baldwin County

Before me, J.M. Franklin, N.P. Ex-O.J.P.

in and for said county personally appeared Henry Pipkin

who, being duly sworn, deposeth and said: That the property sued for in the complaint of _____

Henry Pipkin ~~isxxxxxxproperty~~

to-wit: One cow and male calf, Cow color Yellow about three years old

Calf color red and yellow about three weeks old and is unmarked

Cow is marked Smooth crop in the right ear and ^{split} ~~split~~ in left ear

the above property belongs to Henry Pipkin

the said Plaintiff.

Sworn to and subscribed before me this 30th day of May 1938

J.M. Franklin
N.P. Ex-O.J.P.

Henry Pipkin

RECORDED

4-266

No. _____

Detinue Bond and Affidavit

J.M. Franklin, N.P. Ex-O.J.P.

Henry Pipkin

Vs.

George Henderson, Jr.

MOORE PRINTING CO., BAY SHREVE, ALA.

Filed this 16 day of June 1938

R.S. Buck
Clerk-Register

The State of Alabama, BALDWIN County

JUSTICE Court of BALDWIN COUNTY JUNE 4th Term, 1938

KNOW ALL MEN BY THESE PRESENTS, That we, Georgr Henderson, Jr
and theundersigned

, are held and firmly bound unto the State
of Alabama, in the sum of Seventy five dollars (\$75.00) Dollars
for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, and adminis-
trators, jointly and severally, firmly by these presents.

Witness our hands and seals, this the 9th day of June 1938

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above
bounden George Henderson, jr ~~xxx~~ on the 4th day of June 1938
~~a judgement was rendered against George Henderson, Jr for one cow and calf~~
~~xxxx for the County of the case~~
~~If same was to be had and if the Cow and calf is not to be had, then~~ ~~the~~
the plaintiff Henry Pipkin
is to recover the sum of \$25.00 and cost of suit from the defendant
or his bondsmen

and by the judgment of said Court sentenced to Return the property sued for to the
-paintiff, Henry Pipkin

And, whereas, the said George Henderson, Jr
has this day prayed an appeal from said judgment to the ~~Circuit~~ Court of said County :

Now, if the said George Henderson, Jr 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.

George Henderson, Jr (L. S.)
E. E. Harbrey (L. S.)
W. H. Moore (L. S.)
W. H. Moore [L. S.]

Approved June 9th 1938
J. M. Franklin
CLERK OF COURT

Geo. R. Henderson

THE STATE OF ALABAMA,

BALDWIN County

JUSTICE

COUNTY COURT

THE STATE
VS.

George Henderson, Jr.

APPEAL BOND

SURETIES

Filed in the office of the Clerk of the Circuit

Court _____ day of _____

_____, 193____

Clerk.

Filed this 10 day of June 1938

R. S. DeLoach

Clerk-Register

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama, }
Baldwin County.

JUSTICE COURT

No. _____ May 30th _____, 1938

To Any Lawful Officer of said County, Greetings:

You are hereby commanded to summon George Henderson, Jr

June 4th 1938 at ten O'clock A.M.
to appear within ten days from the service of this writ, in the Justice Court to be held for said County
at the place of holding the same, then and there to answer the complaint of Henry Pipkin

Witness my hand this 30th day of May, 1938 N.P. Ex-O-J. P.

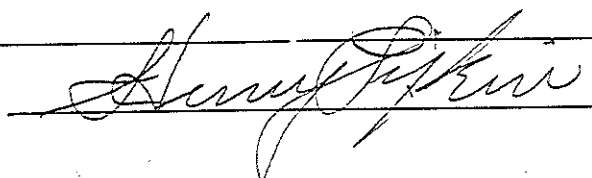
COMPLAINT

Henry Pipkin Plaintiff versus George Henderson, Jr Defendant ..

The Plaintiff claims of the Defendant the following personal property, to-wit:

One ~~1x~~ Cow and calf, Cow color Yellow about three years old, calf color
Red and Yellow, Male about three weeks old, the property of Henry Pipkin

with the value of the hire or use thereof during the detention, to-wit:

from May 30, 1938, to _____, 1938 Plaintiff's ~~Attorney~~

JUSTICE COURT

Henry Pipkin

Plaintiff
Vs.

George Henderson, Jr

Defendant

Detinue Summons and Complaint

Filed May 30th 1938.

J.M. MacArthur No. P. Ex. 000 P.

Filed this 10th day of June 1938.
R.S. Duvach
Clerk-Registrar

Plaintiff's Attorney
Defendant's Attorney
MOORE PRINTING CO., BAY MINETTE, ALA.

To the Sheriff of said 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 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 cast in the suit he will within ten days thereafter, deliver the property to the Plaintiff, and pay all damages and costs which may accrue from the detention thereof.

J.M. MacArthur
N. P. Ex. 000 J. P.

*Executed May 30th 1938.
By taking into my possession
the within described
property - 1 cow - 1 calf -*

M. S. Wilkins
Sheriff
John R Davis
D.S.

Defendant lives at

Received in office

May 30th 1938

I have executed this summons
Sheriff.

this *30th day of May* 1938
by leaving a copy with

George Henderson Jr

M. S. Wilkins Sheriff.
John R Davis Deputy Sheriff.

The State of Alabama }
Baldwin County }

CIRCUIT COURT

No. 457

August

Term, 193 8

To Any Sheriff of the State of Alabama:

You are hereby commanded to seize and deliver to

HENRY PIPKIN,

the following personal property, to-wit:

One cow and male calf:-- cow color--yellow-about
three years old:- calf color-red and yellow-about
three weeks old and unmarked; cow is marked smooth
crop in right ear and split in left ear;

which the said

HENRY PIPKIN

on the 16th day of August 193 8 by the judgment of our

Circuit Court, held for the County of Baldwin, recovered of

GEORGE HENDERSON, JR.

if the same can be had; if not, you are hereby commanded that of the goods and chattels, lands and
tenements of the said GEORGE HENDERSON, JR.,

you cause to be made the sum of TWENTY-FIVE & NO/100 (\$25.00) Dollars,

the alternate value of the personal property, viz:

One cow and male calf:- cow color-- yellow-about
three years old;- calf color-- red and yellow--
about three weeks old and unmarked; cow is marked
smooth crop in right ear and split in left ear:-

Also the further sum of Dollars

for the detention of the said property by the said

besides FORTY-THREE & 25/100 (\$43.25) Dollars,

costs of suit; and make return of this writ and the execution thereof according to law.

Witness my hand, this 31 day of August 193 8

R. S. DUCK

clerk, - register

By

Justice Thompson
Deputy

457

152

CIRCUIT COURT

vs. Plaintiffs

Defendants

Detinue Seizure and Execution

1938

1000

Sheriff.

The State of Alabama,
Baldwin County

S. D. Page No. _____

CIRCUIT COURT

Case No. 457

August Term, 1935

To Any Sheriff of the State of Alabama, GREETING:

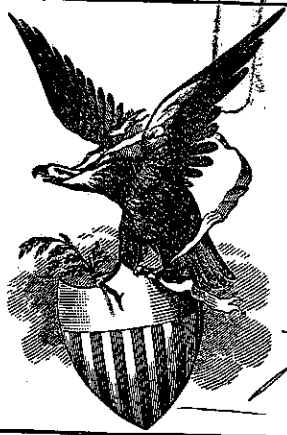
YOU ARE HEREBY COMMANDED TO SUMMON Will Jainer, John Harnel, Sally
Harnel, Julia Emanuel, Jesse Emanuel, Percy Stewart,
Woodrow Bryant

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 16 day of August 1935, 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 Henry Phipps Plaintiff
and Geo. Henderson, Jr. Defendant.

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

Given under my hand and seal, this 13 day of August, 1935

R. S. Duck CLERK.



Sept 5 1938

Received from Mr. T. L. H. H. H. H.

Amount \$100.00 Dollars

for transporting Co. H.

C. F. B. B. B.