

ERNEST RABON,	:	IN THE CIRCUIT COURT OF BALDWIN
PLAINTIFF	:	COUNTY, ALABAMA. LAW SIDE.
VS.	:	
JOHN MINCHEW,	:	
DEFENDANT.	:	

Now comes the defendant in the above styled cause and after leave asked and obtained interposes to the complaint hereinbefore exhibited, the following pleas:

1A. That the account sued on in this cause is not in fact an account due to the plaintiff by the defendant but that said account is made of a number of accounts due to the plaintiff by divers third persons,,and that as against the defendant the plaintiff is barred by the statute of Frauds.

2A. That the account sued on in this cause is made up of a number of accounts due to the plaintiff by divers third persons and that the plaintiff has attempted to collect these accounts from the said third person since the institution of this suit.

3A. ~~That the account sued on in this case is made up~~ of a number of accounts due to the plaintiff by divers third persons and that the defendant has not agreed in writing to pay the said accounts.

4A. That the account sued on is barred by the statute of frauds and perjuries for in this, that the said account was due to the plaintiff by divers third persons and that the defendant has not engaged in writing to pay the same.

John Minchew  
DEFENDANT

State of Alabama  
County of Columbia

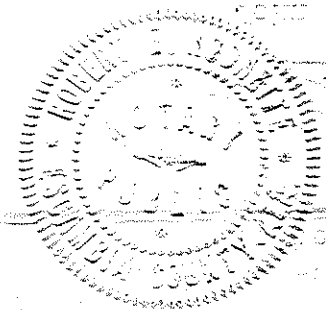
Before me, Robert C. Hudson, a Notary

Public in and for said County and State, personally appeared John Minchew, who being by me first duly sworn deposes and says that the facts set forth in the foregoing plea are true and correct.

John Minchew  
DEFENDANT

Sworn to and subscribed before me this 17 day of September, 1938.

Robert C. Hudson



Filed April 11, 1939  
R. S. Evers, Clerk  
By - Andrew Thompson, Deputy

Raton vs

Michael

THE STATE OF ALABAMA }  
COUNTY OF BALDWIN }

ERNEST RABON

Complainant

VS

JOHN MINCHEW

Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

Now comes the Defendant in the above styled  
case and for answer to the complaint heretofore ex-  
hibited in said cause pleads and says as follows:-

1. Nil debit,
2. Non assumpsit,
3. That the allegations of the complaint are  
untrue.

HOPKINS & HOPKINS

By

Attorneys for Defendant

The Defendant demands a trial by jury of the  
issues involved in this cause.

HOPKINS & HOPKINS

By

Law 460-  
RECORDED  
8-259

Answer

Ernest Padon,  
Plaintiff

vs.

John Muecke,  
Defendant

Filed this 26 day July 1938  
R. S. Duck  
Clerk-Register

STATE OF ALABAMA.

BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JOHN MINCHEW to appear within thirty (30) 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 ERNEST RABON.

Witness my hand this the 18<sup>th</sup> day of July, 1938.

*R. J. Duck*

Clerk, Circuit Court of Baldwin  
County, Alabama.

ERNEST RABON,  
Plaintiff,

vs.

JOHN MINCHEW,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

COUNT ONE.

The plaintiff claims of the defendant the sum of Ninety-eight and 12/100 Dollars (\$98.12) due from him by account on to-wit, 14th day of May, 1938.

COUNT TWO.

The plaintiff claims of the defendant the sum of Ninety-eight and 12/100 Dollars (\$98.12) on account stated between the plaintiff and the defendant on, to-wit, the 14th day of May, 1938.

COUNT THREE.

The plaintiff claims of the defendant the sum of Ninety-eight and 12/100 Dollars (\$98.12) for merchandise, goods and chattels sold by the plaintiff to the defendant on, to-wit, the 14th day of May, 1938.

Which sum of money, with interest thereon, is still unpaid.

*Beebe Hall & Beebe*  
Attorneys for Plaintiff.

ERNEST

ERNEST RABON, Plaintiff,

vs.

JOHN MINCHEW, Defendant.

SUMMONS AND COMPLAINT.

Filed this 18 day July 1935  
R. S. D. D. Clerk-Register

Wm. W. W.

# THE STATE OF ALABAMA

## BALDWIN COUNTY

No. 46

CIRCUIT COURT

Judgment

Term, 1939

vs.

DEAR SIR: At the

Term, 1939, of the Circuit Court of said County,

recovered a judgment against

for the sum of

Dollars

besides

Dollars, cost 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, land and tenements of said

the amount of the judgment and costs, and the Sheriff has returned said execution indorsed, "No Property Found," and the costs have never been paid. In order to save you the additional expense of an execution against you, I herewith inclose an itemized statement of the costs which have accrued in said cause, and respectfully request that you will, on receipt of this, remit the amount. If I do not hear from you in a few days I will forward the execution to the Sheriff of your County for collection.

Respectfully yours, \_\_\_\_\_, Clerk.

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		2	Entering and returning..... Attachment, .....	25	
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		4	Serving..... Summons and Return, .....	1.50	
5	Docketing cause, to be charged but once, .....	25		5	Serving..... Subpoenas, .....	65	
6	Entering Appearance .....	20		6	Impaneling jury, .....	75	
7	Filing..... pleas, demurrer and other pleadings, for each, .....	10		7	Making deed, .....	2.50	
8	Every trial, with or without jury, and its incidents, not including judgments by default, or nil dicit, .....	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		10	Collecting, execution for cost .....	1.50	
11	Entering any other order of Court (each) .....	30		11	Serving..... Sci. Fa. notices, etc., .....	1.50	
12	Issuing..... Scire Facias, or notice in the nature thereof, (each) .....	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 cents; 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 superseas, 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					
20	Issuing..... Attachment and taking bond, (ea.) .....	1.00					
21	Filing..... papers in attachment, (each) .....	10					
22	Issuing..... Summons for garnishee, (each) .....	50					
23	Swearing and taking examination for Garnishee and recording same, for each 100 words 15 cts; but not less than .....	50					
24	Order to advertise, or order of survey, or copy thereof, .....	50					
25	Certificate of Judgment, .....	50					
26	Recording each surveyor and surveyor's report or copy thereof, each 100 words 15 cts; but not less than, .....	25					
27	Issuing..... Commission to take depositions, or copy thereof, .....	75					
28	Making copy of interrogatories accompanying commission, .....	50					
29	Or for each 100 words, .....	15					
30	Filing..... packages of depositions, (each) .....	10					
31	Indorsing..... package of deposition, opened (each), .....	10					
32	Issuing..... writ of ad quod damnum or writ in the nature thereof, .....	75					
33	Recording the return and inquest thereon, .....	50					
34	Or for each 100 words, .....	15					
35	Issuing..... Writ of certiorari, prohibition, mandamus, or writ in the nature thereof, .....	75					
36	Filing the same and entering return, .....	15					
37	Making a complete record of a cause or copy thereof, for each 100 words, .....	15					
38	Making copy of any paper not herein provided for, for each 100 words, .....	15					
39	Making each certificate requiring the seal of office, and affixing seal, .....	50					
40	Taking any bond not otherwise provided for, .....	75					
41	Making..... necessary certificates not otherwise provided for, (each witness), .....	25					
42	For certifying abstract, in lieu of fees for transcript under section 2851 of the Code, .....	5.00					
43	Record for Supreme Court, for each 100 words .....	15					
44	Each additional copy thereof, 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 executions, .....						
Total Clerk's Fees, .....				Total Sheriff's Fees, .....			
				RECAPITULATION			
				1	Clerk's Fees, .....	12	55
				2	Clerk's Fees, .....		
				3	Sheriff's Fees, .....	13	00
				4	Sheriff's Fees, .....		
				5	Witness Fees in Circuit Court, .....		
				6	Justice of the Peace Fees, .....		
				7	Witness Fees, in Justice of the Peace Court .....		
				8	Commissioner's Fees, .....		
				9	Commissioner's Residence, .....		
				10	Constable's Fees .....		
				11	Garnishee's Fees, .....		
				12	Printer's Fees, .....		
				13	Stenographer's Fees, .....		
				14	Trial Tax, .....		
				Total Fees, .....			
				15	Judgment, .....		
				16	Date, .....		
				17	Interest, .....		
				18	Damages, .....		
				Total Judgment, .....			
				Interest and Damages, .....			
				Grand Total, .....			

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. 465

CIRCUIT COURT

Term, 1939

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon

Karl Dean  
CC Camp 2nd

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

Defendant

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 day of Aug 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 Ernest Rabon Plaintiff

and John Winchew Defendant.

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

Given under my hand and seal, this 31 day of Aug 1939

R. S. Decker Clerk.



Received in office this.....day of

193.....

Sheriff.

I have executed this writ

Leaving Copy  
with Sheriff

9/8/33

ORIGINAL

No. 465

Page.....

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT

Ernest Rabin

VS.

Plaintiff

John M. Munchers

Defendant

CIVIL SUBPOENA

Issued this.....day of

193.....

Clerk.

J. H. Barker  
Sheriff.

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. 465

CIRCUIT COURT

Spring Term, 1939

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon

J. W. Stewart, Sam Stewart, Doodle Stewart,  
Jim Hadley, C. L. McLain, J. A. McLain, Dewey Stewart, Earl  
Dean, Ben Hadley, Charles Brewster, Rabun, Ala.,  
Paymaster

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

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 11<sup>th</sup> 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 Ernest Rabun, Plaintiff

and John Minchew 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.

D. Sandice Shugart  
Dewell

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

March 1939

W.R. Stuart

Sheriff.

I have executed this writ on

J. W. Stewart

Cluck Brown

Sam Stewart

Jim Hadley

Doddle Stewart

C. L. Mc Lain

Drewy Stewart

Earl Dean

Ben Hadley

K

a

W.R. Stuart

Sheriff.

S

Quadrants!

ORIGINAL

No. 445 Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

Ernest Rahon

Plaintiff

VS.

John Minchew

Defendant

CIVIL SUBPOENA

Issued this 16 day of

March 1939

R. S. DUCK

clerk, - register

By Harold Thompson Clerk.

Deputy

*(Dependant's)* *(Baldwin)*  
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. *465*

CIRCUIT COURT

*Fall* Term, 193*9*

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon *J. W. Stewart, Sam Stewart, Double*  
*Stewart, Jim Hadley, C. L. McLain, J. A. McLain, Dewey*  
*Stewart, Earl Dean, Ben Hadley, Clark Brown*

if to be found in your County, at the instance of the *Dependant*  
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* day of *September* 193*9*  
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 *Ernest Rabon* Plaintiff  
and *John Minchew* Defendant.

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

Given under my hand and seal, this *31* day of *Aug* 193*9*

R. S. DUCK

clerk, - register

Clerk.

By *Sanford Thompson*  
Deputy

Received in office this 3/10 day of

1939

W.R. Stuart  
Sheriff.

I have executed this writ

Clark Brown 9-9-39  
Earl Dean 9-9-39  
Ben Hodley 9-9-39  
Dorsey Stewart 9-8  
J.A. McLain 7-7-  
O.L. McLain 9-8-39  
Jim Hadley 9-9-39  
Doral Stewart 9-8-  
Sam Stewart 9-8  
J.W. Stewart 9-8

W.R. Stuart  
Sheriff.

Dependant  
ORIGINAL

No. 465

Page.....

## THE STATE OF ALABAMA

BALDWIN COUNTY

### CIRCUIT COURT

Ernest Rahon

Plaintiff

VS.

John Minshew

Defendant

### CIVIL SUBPOENA

Issued this 10/10 day of

1939

R.S. DUCK

clerk, - registered

Clerk.

Depot