

Received in office
June 10th, 1940
W.R. Stuart
Sheriff

RECORDED

Summons & Complaint

\$92.

By Deputy Sheriff

Sheriff
W.R. Stuart

Executed June 10th 1940
by serving copy of within Summons at
Complaint on
Flora Kapahau

Executed June 10th 1940
by serving copy of within Summons and
complaint on
Flora Kapahau

W.R. Stuart Sheriff

By Deputy Sheriff

Pitman
v.s.
Kapahau

Filed June 10, 1940
R.S. Dush, Clerk

J. I. PITMAN, Individually
and doing business as J. I.
Pitman & Company,

Plaintiff,

-vs-

FLORA KAPAHN,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

Comes the Defendant in the above styled cause and demurs
to the Complaint filed in said cause and as grounds therefor says:-

FIRST:

That said Complaint does not state a cause of action.

SECOND:

That said Complaint fails to state the date or dates on
which payments were made on said note.

THIRD:

That said Complaint is vague and indefinite.

FOURTH:

That said Complaint attempts to join a claim held by
J. I. Pitman, individually, with a claim held by J. I. Pitman and
Company.

FIFTH:

That said Complaint fails to state whether J. I. Pitman
and Company is incorporated.

Defendant demands trial by jury.

Hybert & Kason
Attorneys for Defendant.

Hybert & Kason
Attorneys for Defendant.

RECORDED

DEMURRER

J. I. PITMAN, Individually
and doing business as J. I.
Pitman & Company,

Plaintiff,

-VS-

FLORA KAPAHN,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

Filed July 2, 1940
R. S. Smith, Clerk

BARNES-CREARY SUPPLY COMPANY,
a corporation,

Plaintiff,

vs.

C. C. GANTT and C. E. GANTT,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Come the defendants in the above styled cause, and
answering Plaintiff's complaint and each and every allegation
thereof, separately and severally, say, that the matters therein
alleged are untrue.

Beebe & Hall
W. C. Beebe
Attorneys for Defendants.

Defendants demand a trial by
Jury of this cause:

Beebe & Hall
W. C. Beebe
Attorneys for Defendants.

BARNES-CREARY SUPPLY COMPANY,
a corporation, Plaintiff,

vs.

C. C. GANTT and C. E. GANTT,
Defendants.

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

A N S W E R

Filed

July 8 1948

R. S. Duck
Clerk.

The State of Alabama,

CIRCUIT COURT

No. 594

Baldwin County.

Baldwin Term, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

YOU ARE HEREBY COMMANDED, That of the goods and chattels, lands and tenements of C. C. Dantle, Charles E. Dantle, & H. W. Slaughter, Defendant, you cause to be made the sum of One Hundred Ninety & 75/100 DOLLARS, which Barnes Cream Supply Company, a corporation, Plaintiff, recovered of C. C. Dantle, Charles E. Dantle, & H. W. Slaughter on the 9 day of September, 1940, by the Judgment of our Circuit Court held for the County of Baldwin, besides the sum of 84 76/100 DOLLARS, costs of suit, and have the same to render to the said Baldwin, and make return of this Writ and the execution thereof, according to law.

Interest from 14, 1940, to October, 1940.Witness, my hand this 14 day of October, 1940.R. S. Dush, Clerk.

CLERK'S FEES		AMOUNT	SHERIFF'S FEES		AMOUNT		
Issuing.....	Summons and Complaint.....	\$1.25	1.25	Serving and Returning.....	Summons.....	\$1.50	1.50
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	.10	Impaneling Jury.....		.75	
	Affidavits, Certified.....	.25		Collecting Cost, Execution.....		1.50	1.50
	Commissions to take Depositions.....	.75		Taking and Approving.....	Replevin Bonds.....	1.00	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		Detinue Bond.....		1.00	
	Continuances.....	.10		Writ of Possession.....		5.00	
Issuing.....	Subpoenas for..... Witnesses.....	.30		Making Deed.....		5.00	
Trial and Incidents.....		.75	.75	Collecting Money on Execution.....			
Entering.....	Judgment.....	.30	.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	3.00
Filing.....	Certiorari, etc.....	.15		Former Sheriff's Fees.....			
Issuing.....	Notices.....	.75		TOTAL SHERIFF'S FEES.....			7.00
Issuing.....	copies of same.....	.50		WAIVER..... NO WAIVER.....			
Taking.....	Bonds.....	.75	.75	RECAPITULATION			
Filing.....	Bonds.....	.10		Judgment for <i>plaintiff</i> for.....			190.75
Issuing.....	Attachment Writ... and taking Bond.....	1.00		Interest from.....			
Filing.....	Attachments.....	.10		Damages.....			
	Summons of Garnishee.....	.50		Clerk's Fees.....			7.60
Swearing and Ent.....	Answer of Garnishee.....			Sheriff's Fees.....			7.00
Complete Record, 15c per 100 words.....		2.50		Justice of Peace Fees.....			
Transcript to Supreme Court.....				Witness Fees in Justice of Peace Court.....			
Certificate of Appeal to Supreme Court.....		.75		Constable's Fees.....			
Notices of Appeal.....		.75		Commissioner's Fees.....			
Appeal Bond.....		.75		Commissioner's Residence.....			
Certificate of Judgment.....		.50	.50	Printer's Fees.....			
Witness Certificates.....		.25		Garnishee's Fees.....			
				Witness Fees in Circuit Court.....			
				Former Clerk's Fees.....			
				Trial Tax.....			3.00
TOTAL CLERK'S FEES.....		7.60		TOTAL FEES.....			208.35

The State of Alabama,
Baldwin COUNTY.
CIRCUIT COURT.

Bama Candy Supply Co.
a Corporation Plaintiff.

C. C. Hunt, Principal
Chas. E. Hunt & H. W. Slaughter, Sureties Defendant

CIVIL EXECUTION FOR COSTS
AGAINST DEFENDANT

Judgment for plaintiff for \$ 190.75

Interest from 19 to 19 \$ 17.60

Damages \$

Costs \$

Total \$ 208.35

Civil Fee Book, Consol. Page 594 9.53

Execution Docket " Page " 217.88

Filed October 14, 1940

R. S. Dyer Clerk
Hylant & Chason Plaintiff's Attorney
Baker & Hall (wcb) Defendant's Attorney

380 Int 6788 - Total 71.68

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 exemption as to personal property under the Constitution and Laws of Alabama.

This day

of 19

Clerk.

Received in Office

Oct 14th 1940

W. R. Stewart Sheriff.

Sheriff's Execution Docket, page

Sheriff's Fee Book, page

100.00
11-11-40 50.00
1-27-41 40.00

The State of Alabama, }
COUNTY.

By virtue of the within Execution, I have, at 19
M., this day of
Returned 3-10-41 by Collecting 190.75
an amount on account of \$32.43 and by
Baker over to John Chapman city for Plff. \$6.53
\$190.75 Clerk \$10.00 sheriff fees \$17.25 Plff. atty \$9.53
Total \$16.53 Returned by J. Chapman
W. R. Stewart Sheriff.

PLAINTIFF'S WITNESSES

AMOUNT

DEFENDANT'S WITNESSES

TOTAL

The State of Alabama, {
Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we,

C. C. Gantt, *principal*

and

C. E. Gantt and J. H. Hriesbach as sureties

are held and firmly bound unto Barnes-Creary Supply Company

in the sum of Three Hundred and no/100 Dollars, for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators.

Signed with our seals and dated this day of July, 1940

The condition of the above obligation is such that whereas the said

Barnes-Creary Supply Company did, on the 17th day of June, 1940 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: One 72 x 18 horizontal return tubular boiler with regular fixtures and fittings, also boiler used as water tank;

which said writ was placed in the hands of W. R. Stuart

Sheriff of Baldwin County, Alabama, on the 17th day of June, 1940, and executed by him on the 5th day of July, 1940, by taking into his possession the following property, to-wit:

One 72 x 18 horizontal return tubular boiler with regular fixtures and fittings, also boiler used as water tank.

And whereas the said C. C. Gantt, 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 C. C. Gantt 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.

C. C. Gantt

(SEAL)

C. E. Gantt

(SEAL)

J. H. Hriesbach

(SEAL)

Taken and approved this

day of

1940

W. R. Stuart

Sheriff, Baldwin County, Ala.

Case No. 594

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Circuit Court, Baldwin County

REPLEVY BOND
OF PLAINTIFF

Banks Creamery Co.

vs.

Q. Q. Harrell

Taken and approved this

9th

day of

July

, 1940

Filed July 15 1940
R. R. Harrell
clerk

STATE OF ALABAMA.)
BALDWIN COUNTY.)

KNOW ALL MEN BY THESE PRESENTS, that we, C. C. GANTT, and the undersigned, as Sureties, are held and firmly bound unto Barnes-Creary Supply Company in the sum of \$300.00, 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. And we waive all our exemptions as against this contract.

Sealed with our seals and dated this 9th day of July, 1940.

The condition of the above obligation is such, that, whereas, under a writ of detinue issued in favor of Barnes-Creary Supply Company against C. C. Gantt out of the Circuit Court, the Sheriff of said County has been commanded to seize the following described property:

One 72 x 18 Horizontal return tubular boiler with regular fixtures and fittings; also boiler used as water tank;

and has taken the same into his possession, and the possession of said property has been restored to the Defendant on execution of this bond; now, if the defendant is cast in the said suit, and shall within thirty days thereafter deliver the said property to the Plaintiff and pay all costs and damages which may accrue from the detention thereof, then the above obligation to be void, otherwise to remain in full force and effect.

C. C. Gantt (SEAL)

Charles E. Gantt (SEAL)

H. C. Shaughton (SEAL)

Taken and approved this 9th
day of July, 1940.

W. R. Sherrill
Sheriff

Replying Bond

Filed July 9, 1940
R.S. Dorch, Clerk

100

BARNES-CREARY SUPPLY COMPANY,
a corporation, Plaintiff,

vs.

C. C. GANTT,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

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

Burke Hall
W. C. Bush
Attorneys for Defendant.

Defendant demands a trial by
Jury of this cause:

Burke Hall
W. C. Bush
Attorneys for Defendant.

BARNES--CREARY SUPPLY COMPANY,
a corporation,
Plaintiff,

vs.

C. C. GANTT,
Defendant.

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

A N S W E R

Filed

July 8, 1940

W. D. Dunch

Clerk.

BARNES - CREARY SUPPLY
COMPANY, A Corporation,

Plaintiff,

-vs-

C. C. GANTT,

Defendant.

IN THE CIRCUIT COURT - LAW SIDE.

BALDWIN COUNTY,

ALABAMA.

A F F I D A V I T.

STATE OF ALABAMA,

MOBILE COUNTY.

Before me, M. B. Frazier, a Notary Public
in and for said County in said State, personally appeared George
A. Creary, who is known to me and who, after being by
me first duly and legally sworn, doth depose and says under oath as
follows: that he is President and Agent of and for
the Barnes-Creary Supply Company, a Corporation, and as such is
duly authorized to make this affidavit; that the following property,
to-wit:-

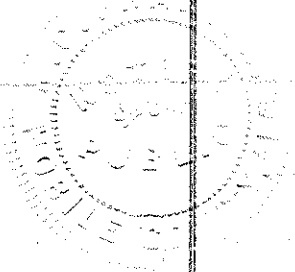
1 - 72 x 18 horizontal return tubular
boiler with all regular fixtures and
fittings, also boiler used as water tank,

for the recovery of which Barnes-Creary Supply Com-
pany, a Corporation, has instituted suit this day in the Circuit
Court of Baldwin County, Alabama, is the property of said Company.

George A. Creary

Subscribed and sworn to be-
fore me, this 7th day of
June, 1940.

M. B. Frazier
Notary Public, Mobile County,
State of Alabama.



STATE OF ALABAMA,

BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: That the Barnes-Creary Supply Company, a Corporation, as Principal and the undersigned as sureties, are held and firmly bound unto C. C. Gantt, his heirs, executors and administrators, in the sum of Twenty-five Dollars (\$25.00), for the payment of which well and truly to be made we bind ourselves our and each of our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seal and dated this 5th day of June, 1940.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that whereas the above bound Barnes-Creary Supply Company, a Corporation, has, on this day, sued out from the Office of the Clerk of the Circuit Court of Baldwin County, Alabama, a Writ of Detinue returnable at the next term of the Circuit Court of Baldwin County, Alabama, in said Court against the said C. C. Gantt for the recovery of the following described personal property, viz:-

1 - 72 x 18 horizontal return tubular boiler with all regular fixtures and fittings, also boiler used as water tank.

Now if the said Barnes-Creary Supply Company, a Corporation, shall fail in said suit and shall pay to the said C. C. Gantt, the Defendant in said suit, all such costs and damages as he may sustain by the wrongful complaint, then this instrument to be void, otherwise to remain in full force and effect.

BARNES-CREARY SUPPLY COMPANY,
A Corporation,

BY

George A. Creary SEAL
As its President

J. H. Walpole SEAL

E. H. Smith, Jr. SEAL

Taken and approved this
the 17 day of June, 1940.

R. S. Dault
Clerk of the Circuit
Court, Baldwin County,
Alabama.

5
AFFIDAVIT AND BOND.

BARNES-CREARY SUPPLY
COMPANY, A Corporation,

Plaintiff,

-VS-

C. C. GANTT,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

Filed June 17, 1940

A.S. Smith Clerk
LAW OFFICES

HYBART & CHASON
BAY MINETTE, ALABAMA

STATE OF ALABAMA,)
BALDWIN COUNTY.)

IN THE CIRCUIT COURT -- LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon C. C. Gantt 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 same, then and there to answer the complaint of Barnes-Creary Supply Company, a Corporation.

Witness my hand this 17th day of June, 1940.

R. S. Durb
Clerk.

C O M P L A I N T.

BARNES - CREARY SUPPLY
COMPANY, A Corporation,

Plaintiff,

-VS-

C. C. GANTT,

Defendant.

IN THE CIRCUIT COURT -- LAW SIDE

BALDWIN COUNTY,

ALABAMA.

The Plaintiff claims of the Defendant the following described personal property, viz:- 1 - 72 x 18 horizontal return tubular boiler with all regular fixtures and fittings, also boiler used as water tank, together with the value of the hire or use thereof during the detention, viz, from, to-wit, March 7th, 1939.

Hybert Rason
Attorneys for Plaintiff.

STATE OF ALABAMA,

BALDWIN COUNTY.

SHERIFF OF THE STATE OF
ALABAMA:

Whereas, the Plaintiff
in the within stated cause has
made Affidavit and given Bond as
requested by law, you are hereby
commanded to take the property
set out in the Complaint into
your possession unless the De-
fendant gives Bond payable to the
Plaintiff, with sufficient surety
in double the amount of the pro-
perty set out, with condition
that if the Defendant is cast in
suit he will within thirty days
thereafter deliver the property
to the Plaintiff and pay all
damages and costs which may
accrue from the detention there-
of.

R. S. Dyer
Clerk.

JUN 17 1940

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

Filed June 17, 1940
R. S. Dyer Clerk
HYBART & CHASON
BAY MINETTE, ALABAMA

594
SUMMONS
AND
~~BILL OF~~ COMPLAINT

BARNES-CREARY SUPPLY COMPANY,
A Corporation,

Plaintiff,

-vs-

C. C. GANTT,

Defendant.

Executed July 5th 1940
by serving copy of within Summons and
Complaint on

C. C. Gantt and taking into
my possession the within
described property

W. R. Stuart Sheriff
By M. B. Hamilton Deputy Sheriff