

J. M. Franklin, N. P. Ex

0. J. P -X-X-X-X-X

County, Ala.

[illegible]

THE STATE OF ALABAMA, } No. 607
Baldwin County }

CIRCUIT COURT

September Term, 1941

To Any Sheriff of the State of Alabama, Greeting:

You are hereby commanded, That of the goods and chattels, lands and tenements of
R. L. BYRD Plaintiff in the suit,
you cause to be made the sum of \$26.10 Dollars,
costs of suit, created by said Plaintiff, for that, whereas, on the 29th day of
September 1941, the said Plaintiff recovered by the Judgment of the said Circuit Court
of said County, against
EARL JOYNER Defendant
to the suit, the sum of _____ Dollars,
besides _____ Dollars, costs of suit;
upon which Judgment an Execution has been issued and returned by the Sheriff, "No property found."

AND HAVE YOU THAT MONEY ready to render to R. S. DUCK
Clerk of said Court, and make return with this Writ and the Execution thereof, according to law.

Witness my hand this 17 day of Dec 1941
R. S. DUCK Clerk

CLERK'S FEES		\$	Cts	SHERIFF'S FEES		\$	Cts
For every Summons and complaint...	\$1.25			For Levying an Attachment.....	\$3.00		
Each copy thereof.....	30			Entering and Returning Attachment.....	25		
Entering a Sheriff's Return.....	20			Summoning Garnishee.....	1.50		
Docketing.....	25	25		Serving Summons on Writ.....	1.50	1	50
Entering Apperance.....	20	20		Serving Notice Sci. Fa. Notice, etc....	65		
Filing.....	10	30		Serving..... Subpoenas.....	2.	1	30
Every Order made in Court.....	30	30		Empanelling Jury.....	75		
Copy thereof.....	25	30		Entering and Returning Execution.....	25		
Every Trial with or without Jury.....	75	75		Collecting Costs Execution.....	1.50	1	50
Entering up Judgment or copy threof..	30	30		Executing a Writ of Pessionession.....	2.50		
Issuing Execution.....	50	50		Taking and Approving Bonds.....	1.00		
Docketing Execution.....	25	50		Commissions.....			
Entering Return on Execution.....	20	20		Sheriff's Commission for Property			
Issuing Subpoenas.....	30	60		Sold Under Attachment.....			
Administering Oath.....	25			Seizing Personal Property on Writ			
Issuing Each Attachment Taking Bond	1.00			of Detinue.....	3.00		
Filing Attachment.....	10					4	30
Each Summons for Garnishee.....	50			RECAPITULATION			
Each copy.....	50			Clerk's Fees.....		5	40
Notice to Deft. in Garnishee on Sum-				Sheriff's Fees.....		4	30
mons and Copy, per 100 words.....	20			Justice's Fees..... Franklin.....		8	40
Commissions to take Depositions or				Witness Fees in Justice of Peace Court			
copy.....	75			Constable's Fees.....			
Order to Execute Writ of Inquiry.....	30			Commissioner's Fees.....			
Copy of Interrogators, 15c per hundred				Printer's Fees..... Steno.....		5	00
words or.....	50	2	00	Witness Fees in Circuit Court.....			
Filing each Deposition and endorsing				Former Clerk's Fees.....			
same.....	20			Stenographer's Fees.....	5.00		
Final Record, per hundred words.....	15			Trial Tax.....	3.00	3	00
Every Certificate.....	50					26	10
Taking Bond not otherwise provided							
for.....	75						
Witness Certificate.....	25						
Continuance.....	10						
Certificate of Judgment.....	50						
Order of Publication.....	1.00						
		5	40				

No. 607 Page

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

R. L. BYRD

Plaintiff

vs.

EARL JOYNER

Defendant

Civil Execution for Costs
Against Plaintiff

Costs - \$ 26.10

Civil Fee Book Page

Execution Docket Page

Filed December 17, 1941

Clerk.

BEEBE & HALL

Plaintiff's Attorney

Defendant's Attorney

COLLECTION COSTS FROM

The State of Alabama,
BALDWIN COUNTY

I hereby certify that the within
and costs in this case are correct, and there
was no waiver of exemption as to personal
property under the Constitution and Laws of
Alabama.

This 17 day of Dec 1941

Clerk.

Received in office 17th day of

December 1941

Sheriff

Sheriff's Execution Docket, Page

Sheriff's Fee Book, Page 607

Returned this the 10th day
of March 1942, no property
of the plaintiff found in
Baldwin County
W.R. Stuart Sheriff
By M.B. Hamilton

Sheriff

THE STATE OF ALABAMA,
Baldwin County.

By virtue of the within execution, I have at

o'clock, M., this day of 1941 levied

THE STATE OF ALABAMA, {
BALDWIN COUNTY

IN THE JUSTICE COURT OF

J.M. Franklin

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

Summon Earl Joynerto appear before me on the 31st day of August 1940, next, at my office inThe court house at Bayminette, Baldwin County, Alabama, to answer the complaint ofR.L. Byrd

and then and there make a return of this summons.

Issued the 21st day of August 1940J.M. Franklin N.P. EX-O Justice of the Peace

COMPLAINT

R.L. Byrd

Plaintiff

vs.

Earl Joyner

Defendant

The Plaintiff claims of the Defendant the sum of Twenty five and NO/100-X-X-X-X DollarsFor one red cow about four years old killed by Earl Joyner'sAuto Mobile strikeing her on highway at Stapleton, Alabamaon August 10th 1940.

2. The Plaintiff claims of the defendant Twenty-five
 damages for that defendant on or abt. August 10, 1940
 The defendant negligently drove an automobile
 against a Cow the property of the Plaintiff, at a
 place on U.S. Highway #31, at Stapleton in Baldwin
 County, Alabama and as a proximate result
 thereof said Cow was killed and so the
 damage of the Plaintiff as aforesaid

R.L. Byrd

Plaintiff's Attorney.

RECORDED

Executed by personal service and notice of Garnishment

Subscribed: Personal
service on Earl Joyner

this 23 day of Aug 1940

W. H. Holcomb Sheriff

By W. H. Holcomb Deputy Sheriff

No. _____ Page _____

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C.S. 0/24/40
THE STATE OF ALABAMA
BALDWIN COUNTY

IN THE JUSTICE COURT OF

J. M. Franklin

August

Term, 19340

SUMMONS AND COMPLAINT

R. L. Byrd

~~XXXXXXXXXX~~

PLAINTIFF

vs.

Earl Joyner

211 north Royal street, Mobile, Ala
C/O Transportetion Inc.

DEFENDANT

The Defendant is hereby notified that
Writ of Garnishment has been served on

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

Location: _____

Bernstein

R. L. BYRD, Plaintiff,
vs.
EARL JOYNER, Defendant.

IN THE JUSTICE COURT OF
J. M. FRANKLIN, BEAT 4,
BALDWIN COUNTY, ALABAMA.

DEMURRER.

Now comes the defendant in the above entitled cause and demurs to the plaintiff's complaint filed therein and for grounds of demurrer assigns, separately and severally, the following separate and several grounds, namely:

1. The said complaint does not state any cause of action.
2. The said complaint does not allege that plaintiff owned the cow therein described.
3. The said complaint does not show any causal connection between the injury complained of and this defendant.

H. E. Smith
Attorney for Defendant.

The State of Alabama,
Baldwin County

S. D. Page No. _____

Case No. 607

607 CIRCUIT COURT

February Term, 1941

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Frank Taylor, Kirby Bush
(Stapleton)

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 3rd day of February, 1941, 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 R. L. Byrd Plaintiff
and Earl Jayner Defendant.

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

Given under my hand and seal, this 1st day of February, 1941

CLERK.

Received in Sheriff's Office

this 1 day of Feb, 1940

W. R. STUART, Sheriff

Received in office this _____ day of _____

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SHERIFF

I have executed this writ

*by returning Frank Taylor
and Kirby Bush
This 1st day of Feb. 1941*

W.R. Stuart
SHERIFF

By M.B. Hamilton

ORIGINAL

No. 607

Page _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

R. L. Byrd,

Plaintiff

VS.

Earl Payne

Defendant

CIVIL SUBPOENA

Issued this _____ day of _____

193_____

Clerk.

STATE OF ALABAMA,
BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS, That we, Earl Joyner, as principal, and G. M. Lambert and J. W. Joyner, as sureties, are held and firmly bound unto R. L. Byrd in the sum of SIXTY AND NO/100 DOLLARS, for the payment of which 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 by these presents.

SEALED with our seals and dated this 31st day of August, 1940.

The condition of the above obligation is such, that, whereas, if the above bound Earl Joyner shall prosecute to effect a cause this day of appeal to the present term of the Circuit Court of Baldwin County, Alabama, Law side, from a judgment rendered against him in favor of said R. L. Byrd, this day, in the Justice Court of J. M. Franklin, Baldwin County, Alabama, Beat 4, for the sum of twenty-five dollars and costs, or if he fails in such appeal, shall pay such judgment, both as to debt and costs, as may be rendered against him by said Circuit Court of Baldwin County, Alabama, Law Side, then, in either of said events, this obligation to be void, otherwise remain in full force and effect. And for the payment of the above bond, we hereby waive our right to exemption to personal property under the constitution and laws of this state.

GIVEN under our hands and seals this the day and year above written.

Earl Joyner (SEAL)
J. W. Joyner (SEAL)
G. M. Lambert (SEAL)

Taken and approved this 3rd day
of Sept, 1940.

J. M. Franklin