

552

GENERAL MOTORS ACCEPTANCE CORPORATION,
a Corporation,

Plaintiff,

VS.

GEORGE KAHALEY,

Defendant.

IN THE

CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA.

Now comes the Plaintiff in the aforesaid cause and moves the Court for a new trial and for grounds therefor, says:

1. That the verdict of the jury was contrary to the evidence.
2. The verdict of the jury was contrary to the law in the case.
3. The verdict of the Jury was contrary to the charge of the Court in the case.
4. The Court erred in charging the jury, to which plaintiff duly excepted, in substance as follows:

"If the owner of the truck had invested P. W. Chestang with possession of the same, or appearance of ownership, then he, Kahaley, was authorized to act upon the appearance of the same and do the work."

Herbert A. Pearson
Attorneys for Plaintiff

TO: BEEBE & HALL, Attorneys for the Defendant.

The foregoing motion is ordered
Continued for 30 days
This Oct. 2nd 1940.

W. H. Hall
Judge

Motion ordered Continued for 30 days
This Nov. 1, 1940.

W. H. Hall
Judge

Motion continued for 30 days.
This Dec. 2nd 1940.

(over)

W. H. Hall, Judge

Motion continued for 30 days -
This Jan. 1, 1941 - J. M. Hare

Judge
The above and foregoing motion is
ordered granted and the cause reinstated
on the docket for a new trial -

This Jan. 13th 1941 -

J. M. Hare
Judge

RECORDED

Motion for New Trial

Motion docketed

page 96

Filed September 16, 1940
R. S. Duvak, Clerk

GENERAL MOTORS ACCEPTANCE
CORPORATION, A Corporation,

Plaintiff,

-VS-

GEORGE KAHALLY,

Defendant.

IN THE CIRCUIT COURT -- LAW SIDE,

STATE OF ALABAMA,

BALDWIN COUNTY.

Comes the Plaintiff in the above styled cause and files this its demurrer to the answer filed by the Defendant in said cause, and to each and every plea, separately and severally, and as grounds therefor, says:-

FIRST:

That said answer presents no defense to said suit.

SECOND:

That the Defendant does not allege in said answer that he had no notice of a superior lien held by the Plaintiff on or against said truck.

THIRD:

That said Defendant does not allege that he had no notice, actual or constructive, of any claim that the Plaintiff held on or to said truck.

FOURTH:

That for aught appearing from said answer the Plaintiff in said suit holds a superior lien in and to said truck of which lien said Defendant had actual knowledge at the time that said repairs were made on said truck, and at the time he furnished the materials therefor.

W. J. A. Russell
Attorneys for Plaintiff.

GENERAL MOTORS ACCEPTANCE
CORPORATION, A Corporation,

Plaintiff,

-vs-

GEORGE KAHALLY,

Defendant.

IN THE CIRCUIT COURT -- LAW SIDE,

STATE OF ALABAMA,

BALDWIN COUNTY.

Comes the Plaintiff in the above styled cause and files this its demurrer to the answer filed by the Defendant in said cause, and to each and every plea, separately and severally, and as grounds therefor, says:-

FIRST:

That said answer presents no defense to said suit.

SECOND:

That the Defendant does not allege in said answer that he had no notice of a superior lien held by the Plaintiff on or against said truck.

THIRD:

That said Defendant does not allege that he had no notice, actual or constructive, of any claim that the Plaintiff held on or to said truck.

FOURTH:

That for aught appearing from said answer the Plaintiff in said suit holds a superior lien in and to said truck of which lien said Defendant had actual knowledge at the time that said repairs were made on said truck, and at the time he furnished the materials therefor.

W. J. [Signature]
Attorneys for Plaintiff.

DEMURRER

GENERAL MOTORS ACCEPTANCE
CORPORATION, A Corporation,

Plaintiff,

-VS-

GEORGE KAHALLY,

Defendant.

IN THE CIRCUIT COURT--LAW SIDE

STATE OF ALABAMA,

BALDWIN COUNTY.

Filed 2/29/40

R. J. D. *clerk*

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 George Kahalley 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 General Motors Acceptance Corporation, a Corporation.

Witness my hand this 10th day of January, 1940.

R. S. Duck

Clerk.

By D. E. Smith Deputy

COMPLAINT.

GENERAL MOTORS ACCEPTANCE CORPORATION,
a Corporation,

Plaintiff,

-VS-

George Kahalley
Defendant.

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

The Plaintiff claims of the Defendant the following described personal property, viz:- One 1937 model Chevrolet Truck, Motor # T243205, Serial # 8SD12 - 3290, with the value of the hire or use thereof during the detention, viz, from the 9th day of January, 1940.

Hybert A. Rason
Attorneys for Plaintiff.

STATE OF ALABAMA,

BALDWIN COUNTY.

TO ANY SHERIFF OF SAID STATE:

Whereas, the Plaintiff in the within stated cause has made affidavit and given bond as required by law, you are hereby commanded to take the property set out in the 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 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 thereof.

R. S. Duck
Clerk.

By R. E. Smith
Deputy

Executed this the 10th day of Jan 1940 by Sheriff a Copy of the within Summons & Complaint on Props. Kaskader and joining into my possession The within described parcel

R. E. Smith
sheriff

Received in Sheriff's Office - JAN 10 1940

SUMMONS AND COMPLAINT

RECORDED

and nine Records 411

GENERAL MOTORS ACCEPTANCE CORPORATION, a Corporation,

Plaintiff,

-VS-

George A. Kaskader
Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

LAW SIDE.

Filed Jan 10 1940
LAW OFFICES

HYBART & CHASON
BAY MINETTE, ALABAMA

most kind
 friends
 Dear Sir
 I am ever
 Dear Sir

September 12th 1940

Cost Bill in Case of Adrain Ray V-S P.W. Chestang-Attachment Suit-

Justice Fees

Issuing affidavit and bond-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-1.50
" Writ of Attachment ----- . 50
" Summons and Complaint----- . 50
Docketing cause----- . 10
Total Justice----- \$2.60

Sheriff Fees

Serving writ of Attachment and making return----- \$5.25
" Summons and complaint----- \$1.50
Total sheriff----- \$4.75

Grand Total----- \$7.35

N.P.Ex-O.J.F

CIRCUIT COURT. (LAW)

Term, 1947

No. 222 vs.

BILL OF COSTS

CLERK'S FEES:	AMOUNT
Fees in Circuit Court—	46
Docketing Cause, One Fee only of.....	.25
Issuing Summ. and Compit., each.....	1.25
Issuing Alias or Branch Summons & Complaint, each.....	1.25
Making Copies Thereof, Minimum, each .....	.30
Making Copies Thereof, over 200 Words, per 100 words.....	.15
Entering Sheriff's Returns, each .....	.20
Entering Appearances, each .....	.20
Certifying Affidavits, each .....	.25
Issuing Attachments with Bond, each	1.00
Orders of Publication, each .....	.50
Copy of Same, each .....	.50
Issuing Summ. to Garnishee, each .....	.50
Copy of Same, Per 100 Words .....	.15
Swearing Garnishee, Etc., Per 100 words, .15, Minimum .....	.50
Release of Garnishee, each .....	.25
Issuing Scire Facias or Similar Notice, each .....	.75
Copies of Same, Per 100 Words.....	.15
Making Copy of Interrogatories, Per 100 Words, .15; Minimum .....	.50
Commission to Take Depositions, each .....	.75
Filing Depositions, Each Pkg., .....	.10
Endorsing Each Package of Depositions Opened .....	.10
Issuing Subpoenas, Each .....	.30
Issuing Witness Certificates, each.....	.25
Entering Continuances, each .....	.10
Filing Papers, each .....	.10
Other Orders of Court, each .....	.30
Trial and Incidents .....	.75
Entering Judgment, each .....	.30
Complete Record, Per 100 Words .....	.15
Taking Bonds, each .....	.75
Certificate of Appeal .....	.25
Transcript to Supreme Court, Per 100 Words .....	.15
Additional Copies of Same, Per 100 Words .....	.05
Issuing Executions or Copy Thereof, each .....	.50
Entering Sheriff's Return, Per 100 Words, .15; Minimum .....	.20
Total Clerk's Fees	12 90
SHERIFF'S FEES:	
Serving and Returning Summons or Writ, each	1.50
Levying Attachment, each	3.00
Entering and Returning Same, each .....	.25
Seizing Personal Property Under Writ of Detinue	3.00
Taking and Approving Bonds, each.....	1.00
Summoning Garnishee and Return, each	1.50
Serving and Returning Sci. Fa. or Notice, Each.....	1.50
Serving and Returning Subpoenas, each .....	.65
Serving Contempt Attachment, each	1.50
Impanelling Jury.....	.75
Collecting Execution for Costs Only, each.....	1.50
Coms. for Collecting Money on Executions	
Executing Writs of Possession, each.....	5.00
Making Deed to Real Estate Sold, each.	2.50
Total Sheriff's Fees	18 20

Jury + Verdict for defendant
9-10-41

52.20
14.70
67.50

STATE OF ALABAMA,

BALDWIN COUNTY.

REPLEVIN BOND OF PLAINTIFF IN DETINUE.

KNOW ALL MEN BY THESE PRESENTS:- That the GENERAL MOTORS ACCEPTANCE CORPORATION, a Corporation, as principal and the undersigned as sureties, are held and firmly bound unto GEORGE KAHALLY, the Defendant in that certain cause now pending in the Circuit Court of Baldwin County, Alabama, wherein the General Motors Acceptance Corporation, a Corporation is Plaintiff, in the sum of Two Hundred Dollars (\$200.00), for the payment of which well and truly to be made we bind ourselves, our successors and assigns jointly and severally, firmly by these presents.

Sealed with our seals and dated this 18th day of January, 1940.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that whereas, the above named General Motor Acceptance Corporation, a Corporation; commenced an action of Detinue against the said George Kahally, as Defendant, by having a Writ of Detinue issued from the circuit Court of Baldwin County, Alabama, on the 10th day of January, 1940, by which, together with the indorsement thereon, any sheriff of the State of Alabama was commanded to take into his possession the following described personal property, to-wit:- One 1937 Model Chevrolet Truck, Motor #T243205, Serial #8SD12 - 3290; that said Writ of Detinue was, on the 10th day of January, 1940, placed in the hands of W. R. Stuart, as Sheriff of said County, for due execution thereof, which said writ the said W. R. Stuart, Sheriff aforesaid, executed according to its mandates, by taking possession of the following described personal property, to-wit:- One 1937 model Chevrolet Truck, Motor #T243205, serial #8SD12-3290.

And whereas, the said George Kahally, Defendant in said suit, has failed and neglected, for the space of five days from the taking into possession of such property by said Sheriff as aforesaid, to give bond and take possession of said property as allowed by law.

NOW THEREFORE, if the said General Motors Acceptance Corporation, a Corporation, shall deliver the above described property to the Defendant, George Kahally, within thirty days after judgment, together with damages for the detention of said property and costs of suit, in case it fails to recover the same in said suit, then and in that event this obligation to be void, other wise to remain in full force and effect.

GENERAL MOTORS ACCEPTANCE CORPORATION
A Corporation,

BY [Signature] SEAL.

[Signature] SEAL.

[Signature]

Taken and approved this
19 day of January, 1940.

W R Stuart
Sheriff of Baldwin County,
Alabama.

Sua Transmittencia 8
4/12
RECORDED

REFLEVIN BOND

GENERAL MOTORS ACCEPTANCE
CORPORATION, a Corporation

Plaintiff,

vs.

GEORGE KAHALLY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Filed *Jan 19-1946*
LAW OFFICES
HYBART & CHASON *Druck*
BAY MINETTE, ALABAMA *Clark*

The State of Alabama, }
BALDWIN COUNTY }

CIRCUIT COURT. (LAW)

Term, 1944/

No. 552 vs.

BILL OF COSTS

CLERK'S FEES:	AMOUNT	SUMMARY OF FEES, COSTS, AND JUDGMENT	AMOUNT
Fees in Circuit Court—	25	Fees and Costs in Circuit Court:	13 90
Docketing Cause, One Fee only of.....	.35	Clerk's Fees	
Issuing Summ. and Complt., each.....	1.25	Ex-Clerk's Fees	18 20
Issuing Alias or Branch Summons & Complaint, each	1.25	Sheriff's Fees	
Making Copies Thereof, Minimum, each.....	.30	Ex-Sheriff's Fees	27 40
Making Copies Thereof, over 200 Words, per 100 words	.15	Witness Fees	
Entering Sheriff's Returns, each .....	.20	Commissioner's Fees	
Entering Appearances, each .....	.20	Garnishee's Fees	
Certifying Affidavits, each .....	.25	Publisher's Fees	
Issuing Attachments with Bond, each	1.00		
Orders of Publication, each .....	.50	Court Reporter's Fees, Per Day or fraction thereof	5 00
Copy of Same, each .....	.50	Trial Tax	3 00
Issuing Summ. to Garnishee, each .....	.50		
Copy of Same, Per 100 Words .....	.15		
Swearing Garnishee, Etc., Per 100 words,	.50		
.15, Minimum .....	.50		
Release of Garnishee, each .....	.25		
Issuing Seire Facias or Similar Notice, each .....	.75		
Copies of Same, Per 100 Words.....	.15		
Making Copy of Interrogatories, Per			
100 Words, .15; Minimum .....	.50	Fees and Costs in Inferior Court:	
Commission to Take Depositions, each .....	.75	Clerk of Inferior Court Fees	
Filing Depositions, Each Pkg., .....	.10	Sheriff's Fees	
Endorsing Each Package of Depositions Opened .....	.10	Justice of Peace Fees	
Issuing Subpoenas, Each .....	.30	Constable's Fees	
Issuing Witness Certificates, each.....	.25		
Entering Continuances, each .....	.10		
Filing Papers, each .....	.10	Fees and Costs in Inferior Court	
Other Orders of Court, each .....	.30	Total Fees and Costs	
Trial and Incidents .....	.75	Judgment	
Entering Judgment, each .....	.30	10 Per Cent Damages	
Complete Record, Per 100 Words .....	.15	Interest	
Taking Bonds, each .....	.75	Total Judgment	
Certificate of Appeal .....	.25	Total Fees, Costs and Judgment	
Transcript to Supreme Court, Per 100 Words .....	.15		
Additional Copies of Same, Per 100 Words .....	.05		
Issuing Executions or Copy Thereof, each .....	.50		
Entering Sheriff's Return, Per 100 Words, .15;			
Minimum .....	.20		
		Total	
Total Clerk's Fees	13 90		
SHERIFF'S FEES:			
Serving and Returning Summons or			
Writ, each	1 50		
Levying Attachment, each	3 00		
Entering and Returning Same, each .....	.25		
Seizing Personal Property Under Writ of Detinue	3 00		
Taking and Approving Bonds, each.....	1 00		
Summoning Garnishee and Return, each	1 50		
Serving and Returning Sci. Fa. or Notice, Each.....	1 50		
Serving and Returning Subpoenas, each .....	.65		
Serving Contempt Attachment, each	1 50		
Impaneling Jury.....	.75		
Collecting Execution for Costs Only, each.....	1 50		
Coms. for Collecting Money on Executions			
Executing Writs of Possession, each.....	5 00		
Making Deed to Real Estate Sold, each.....	2 50		
Total Sheriff's Fees	18 20		

I certify that the within is a true and correct Bill of Costs in the within styled cause.

ATTEST: _____
Clerk Circuit Court, Baldwin County, Ala.

Received payment this _____ day of _____ 194

ATTEST: _____
Clerk Circuit Court, Baldwin County, Ala.

5-3-4-3-5
check 47.60

No. 552 Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

Michael, Nelson, District

Bay

vs. Plaintiff

Geo. R. Kelley

Defendant

CIVIL COST BILL

Term, 19

Fee: Book _____, Page _____

Plaintiff's Attorney.

Defendant's Attorney.

Moore Printing Co., Bay Minette, Ala.

Payable 1.50
Fees 3.00
Fruit 3.00
7.50

4760
2500
3500
10760

Fees 6.50
13.40
19.90

67.50
19.90
47.60

Ref. to the
Jury

The Court charges the
Jury that - the burden
of proof is upon the
defendant - to show
that - P. W. Chestnut was
the owner of the vehicle
involved in this suit -
at the time that the
same was attached

552

General Motors Acceptance Corp.

a Corp of Maryland

VS

George Mahoney

1007

1007

GENERAL MOTORS ACCEPTANCE
CORPORATION, a Corporation,

Plaintiff,

VS.

GEORGE KAHALLEY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW,

NO. 552.

And now comes the Defendant, and for answer to the Plaintiff's complaint and to each allegation and count therein, separately and severally, says:

1. Not guilty.

2. That the facts therein alleged are untrue.

3. That on to-wit, December 22nd, 1939, the Defendant, George Kahalley, filed suit in the Justice Court of J. M. Franklin, a Justice of the Peace, Beat 4, Bay Minette, Alabama, against P. W. Chestang, who was in possession of and who claimed to own the personal property described in the bill of complaint in this cause, to-wit:

One 1937 Model Chevrolet truck, Motor No. T 243205,
Serial No. 8SD12-3290,

and claimed a lien on said truck for work, labor and material furnished for said truck at the request of the said P. W. Chestang; that in the enforcement of said lien an attachment was issued out of said Justice Court on December 22nd, 1939, and levied on said automobile truck; that on December 30th, 1939, a judgment was rendered against the said P. W. Chestang, as Defendant, and in favor of George Kahalley, as Plaintiff, for the amount sued on, and that said lien was duly established and the said truck condemned to the satisfaction of said judgment indebtedness; that the said W. R. Stuart, Sheriff of Baldwin County, Alabama, in accordance with the judgment of said Justice Court, advertised said truck for sale for the satisfaction of said indebtedness, and on January 10th, 1940, sold the same, in accordance with the judgment of the Court, and that at said sale the Defendant, George Kahalley, being the highest, best and last bidder, purchased the said truck and the same was delivered over to him by the said Sheriff, and that he, the Defendant, is now the owner of said truck by virtue of said sale and delivery to him by the said Sheriff.

Defendant demands a trial by Jury.

BEEBE & HALL,

By: Shirley Lane
Attorneys for Defendants.

BEEBE & HALL,

By: Shirley Lane
Attorneys for Defendant.

Indorse Name &
RECORDED 41112.

ANSWER:

GENERAL MOTORS ACCEPTANCE
CORPORATION, a Corporation,

Plaintiff,

VS.

GEORGE KAHALLEY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW,

NO. 552.

Filed this 5 day February 1940.

R. S. Duck
Clerk-Register

STATE OF ALABAMA,

BALDWIN COUNTY.

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

Sealed withour seals and dated this 10th day of January, 1940.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that whereas the above bound General Motors Acceptance Corporation, 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 George Mahallie, for the recovery of the following described personal property to-wit:-

One 1937 Model Chevrolet Truck,
Motor #T243205, Serial #8SD12 - 3290,

Now if the said General Motors Corporation, a Corporation, shall fail in said suit and shall pay to the said George Mahallie, 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.

GENERAL MOTORS ACCEPTANCE CORPORATION,
a Corporation,

By M. M. M. M. M. SEAL.

J. R. Wilham SEAL.

A. J. Henderson SEAL.

Taken and approved this
10th day of January, 1940.

R. S. Duck
Clerk of Circuit
Court, Baldwin County,
Alabama.

A. H. Smith
Deputy

RECORDED *Civil Trial Record*
8-412-13

DETINUE BOND

GENERAL MOTORS ACCEPTANCE
CORPORATION, a corporation,
Plaintiff,

-VS-

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE.

Filed *Jan 10 - 1960*
R & D. R. Clark
By H. E. Smith, Jr.

GENERAL MOTORS ACCEPTANCE CORPORATION,
a Corporation,

Plaintiff,

-VS-

George McChalkley

Defendant.

IN THE CIRCUIT COURT--LAW
SIDE,

BALDWIN COUNTY,

ALABAMA.

A F F I D A V I T.

STATE OF ALABAMA,

BALDWIN COUNTY.

Before Me, *John P. Carson*, a Notary Public
in and for said County in said State, personally appeared F. W.
Hardie, 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 his name is F. W. Hardie, that he is an Agent of the General
Motors Acceptance Corporation, a Corporation, and as such is duly
authorized to make this affidavit; that the following described
property, to-wit:-

One 1937 model Chevrolet Truck, Motor
T243205, Serial # 8SD12 - 3290,

for the recovery of which it has instituted suit this
day in the Circuit Court of Baldwin County, Alabama, is the property
of said Corporation.

F. W. Hardie

Sworn to and subscribed to
before me, a Notary Public,
whose seal is hereto affixed,
this 10th day of January, 1940.

John P. Carson
Notary Public, Baldwin County,
State of Alabama.

Civil Action No. 18
RECORDED 4/3

DETINUE AFFIDAVIT

GENERAL MOTORS ACCEPTANCE
CORPORATION, a Corporation,
Plaintiff,

-VS-

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

Filed Jan 10 - 1940

R S Wright
By T E Smith
Deputy

General Motors & Kalamazoo
No 552

Jury List, First Week, April 8, 1940

1. Dennis L. Thompson, Farmer, Stockton. *P 8*
2. Ludie N. Scarborough, Farmer, Bay Minette. *P 10*
3. Julius Hilary Brown, Cobbler, Bay Minette.
4. Ira V. Guess, Carpenter, Bay Minette. *P 4*
5. Robert L. Godwin, Water Company, Bay Minette.
6. Virgil V. Rhodes, Farmer, Bay Minette. *P 3*
7. Ort H. Ertzinger, Insurance, Bay Minette.
8. Charles A. Bodden, Mgr. Ala. Power Co., Bay Minette. *P 5*
9. John E. Quinley, Laborer, Bay Minette.
10. William S. McMillan, Clerk, Bay Minette.
11. Wilton J. Stapleton, Farmer, Bay Minette.
12. John B. Stuart, Contractor, Bay Minette. *P 2*
13. J. Floyd Bryars, Pressing Club, Bay Minette.
14. Wilbur W. Quinley, Farmer, Bay Minette. *P 11*
15. James D. Morris, Jr., Farmer, Gateswood. *P 1*
16. Thomas L. Baggett, Farmer, Gateswood.
17. John W. Pittman, Farmer, Gateswood.
18. Jack R. Downer, Farmer, Gateswood. *P 10*
19. John H. Shumate, Mechanic, Robertsdaile. *P 6*
20. C. Red Anderson, Farmer, Silverhill. *P 2*
21. Nathan O. Smith, Farmer, Foley. *P 12*
22. Alex V. Lazari, Farmer, Daphne.
23. Charles X. Guarisco, Tailor, Daphne.
24. Augustine X. Guarisco, Farmer, Daphne. *P 12*
25. Connie A. Gaston, Editor, Fairhope. *P 1*
26. Charles M. Guthrie, Farmer, Fairhope.
27. J. Ernest Duck, Mechanic, Bay Minette. *P 1*
28. Claude S. Woodson, Furniture, Bay Minette. *P 2*
29. Paul E. Teter, Abstracts, Bay Minette. *P 9*
30. Thomas J. Davidson, Butcher, Bay Minette.
31. Virgil O. McMillan, Turpentine Operator, Bay Minette. *P 7*
32. Hunter H. Mixon, Hardware, Bay Minette.
33. Clyde N. Little, Mechanic, Bay Minette.
34. J. Frank Knowles, Newport, Bay Minette.
35. Clinton L. White, Cashier, Bay Minette. *P 9*
36. P. Grey Cane, Oil Agent, Bay Minette. *P 9*
37. Edward J. Lemerise, Tar Plant Operator, Bay Minette. *P 11*
38. George F. Stevenson, Oil Agent, Bay Minette. *P 6*
39. Walter D. White, Merchant, Bay Minette. *P 2*
40. S. S. Baggett, Naval Stores, Bay Minette. *P 7*
41. Sidney K. Smith, Merchant, Bay Minette.

1 2 3 4 5 6 7 8 9 10 11 12

P

1 2

P

1	2	3	4	5	6	7	8	9	10	11	12
16	40	41	4	9	19	15	1	30	2	14	25
27	12	6	20	8	38	31	29	36	18	37	21

The State of Alabama,
Baldwin County

S. D. Page No. _____
Case No. 552

CIRCUIT COURT
Fall, 1940 Term, 193

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON W. A. Bryars, A. P. Pruitt, Theodore

Chestang (Bay Minette)

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 10th day of September, 1940 193 , 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 General Motors Acc. Corp., Plaintiff

and George Kahalley Defendant.

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

Given under my hand and seal, this 29th day of August, 1940 193

R. L. Duth

CLERK.

Received in office this 29 day of

August

1934

W.R. Stuart

SHERIFF

I have executed this writ by returning

Thos. Chestnut

W.A. Bryans

A.P. Pruitt

Baldwin

ORIGINAL

No. 552

Page

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

GENERAL MOTORS ACCEPTANCE
CORPORATION,

Plaintiff

VS.

GEORGE KAHALLEY

Defendant

CIVIL SUBPOENA

Issued this _____ day of

193

Clerk.

W.R. Stuart

SHERIFF

By M.B. Hamelton Esq.

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. 552

CIRCUIT COURT

Spring Term, 1940

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Theodore Chestang

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 11 day of April, 1940 193

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 General Motors Acc. Co. Plaintiff

and Geo. Kachally Defendant.

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

Given under my hand and seal, this 10 day of April 1940 193

R. S. Ditch Clerk.

Received in office this 10 day of

April

1940

W R Stuart
By M. B. Hamilton Sheriff.

I have executed this writ

by serving
Theodore C. C. C. C.

ORIGINAL

No.

552

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Plaintiff

VS.

Defendant

CIVIL SUBPOENA

Issued this..... day of

193.....

Clerk.

W R Stuart
By M B Hamilton Sheriff.

The State of Alabama,
Baldwin County

S. D. Page No. _____

Case No. 552

CIRCUIT COURT

September Term, 1940

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

J. M. Franklin, Pierre Chestang,
W. R. Stuart, O. P. Pruitt

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 10 day of September, 1940, 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 General Motors Acceptance Corp. Plaintiff

and George Kahallig Defendant.

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

Given under my hand and seal, this 3 day of Sept, 1940

R. S. Dorch

CLERK.

Received in office this 3rd day of

Sept 1940

193

W.R. Stuart

SHERIFF

I have executed this writ

M. Franklin 9/5/40 A.P.P.
Quence Chestnut
W.R. Stuart
A.P.P. Pruitt

SHERIFF

ORIGINAL

No. 552

Page

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

General Motors Acct.
Corp.

Plaintiff

VS.

Geo. Kahalley

Defendant

CIVIL SUBPOENA

Issued this _____ day of

193

Clerk.

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. 552

CIRCUIT COURT

Spring Term, 1940

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon J. W. Hardie — Mobile, Ala.

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 11 day of April, 1940 193

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 General Motors Acceptance Corp. — Plaintiff

and George Kalsbein Defendant.

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

Given under my hand and seal, this 26 day of March 1940 193

R. S. Dineen Clerk.

Received in office this 26 day of

March

1940

W.R. Stewart

Sheriff.

I have executed this writ by serving
copy on
J.W. Hardie. this the
29th day of March 1940

W.R. Stewart

By Miss Hamilton DS

Sheriff.

do not
mail

held 11. 10. 116

Mobile County

ORIGINAL

No. 552

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

General Motors Acceptance
Corporation

Plaintiff

VS.

George Kahalley

Defendant

CIVIL SUBPOENA

Issued this 26 day of

March

1940

Clerk.

Mobile County

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. 552

CIRCUIT COURT

Fall Term, 1940

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon F. W. Hardie (Mobile, Ala.)

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 10th day of September, 1940 193

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 General Motors Acc. Corp. Plaintiff

and Geo. Kahalley Defendant.

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

Given under my hand and seal, this 29th day of August, 1940 193

R. S. Duck

Clerk.

Received in office this 29 day of

August 1934
W.R. Stuart

Sheriff.

I have executed this writ

by serving copy

W. F. Harris 9/5/40

Mobile Co.

Plaintiff

ORIGINAL *Hand*

No. 552

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

General Motors Acceptance

Corp.,

VS.

George Kahalley

Plaintiff

Defendant

CIVIL SUBPOENA

Issued this.....day of

193.....

Sheriff.

Clerk.

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. 552

CIRCUIT COURT

Spring Term, 1934

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon

C. C. Fountain - Brewton

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 11 day of April 1934

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 General Motors Acceptance Corp - Plaintiff

and George Kaballey Defendant.

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

Given under my hand and seal, this 26 day of March 1934

R. S. Dyer Clerk.

Received in office this 26 day of

March 1940

W.R. Stuart

Sheriff.

I have executed this writ

G.C. Fountain

4/2/40

By Serving Summons
on G.C. Fountain

W.R. Stuart
County Clerk

By

Sheriff.

Escambia County

ORIGINAL

No. 552

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

General Motors Acceptance

Corp.

Plaintiff

VS.

George Kahalley

Defendant

CIVIL SUBPOENA

Issued this 26 day of

March 1940

Clerk.

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. 552

CIRCUIT COURT
Spring Term, 1934

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon W. A. Byars & A. P. Penitt
(By Penitt)

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 11 day of April - 1940 1934
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 General Motors Acceptance Corp - Plaintiff
and George Kahalley Defendant.

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

Given under my hand and seal, this 26 day of March 1940 1934

R. S. Duck Clerk.

11-1-40
Received in office this 26 day of

March

1940

W.R. Stewart

Sheriff.

I have executed this writ by serving

a. P. Pruitt

W. A. Byars -

this the 30th day
of March 1940

Baldwin County

ORIGINAL

No. 552

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

General Motors Acceptance
Corp.

Plaintiff

VS.

George K. Kelley

Defendant

CIVIL SUBPOENA

Issued this 26 day of

March 1940

W.R. Stewart
By M. B. Hamilton

Sheriff.

Clerk.

The State of Alabama, {
Baldwin County

S. D. Page No. _____

CIRCUIT COURT

Case No. 552

Fall

Term, 193⁴⁰

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON C. C. FOUNTAIN, (Brewton)

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 10th day of September, 1940 193, 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 General Motors Corp., Plaintiff

and George Hahalley Defendant.

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

Given under my hand and seal, this 29th day of August, 1940, 193

R. S. Dyer

CLERK.

Received in office this 29 day of

August 19340

W R Stuart
SHERIFF

I have executed this writ

Warrant in full
8/29/40
Sheriff
Commoner
Dr
6 must Hall
W
SHERIFF

~~#52~~ Brewton

ORIGINAL

No. 552 Page

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

GENERAL MOTORS ACCEPTANCE
CORPORATION,

Plaintiff

VS.

GEORGE KAMALLEY

Defendant

CIVIL SUBPOENA

Issued this day of

 193

 Clerk.

THE STATE OF ALABAMA

BALDWIN COUNTY

S.D. Page No.....

CIRCUIT COURT

Case No. 552

Spring, 1940 Term, 193.....

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon J, M. Franklin, Pierre Chestang,

W. R. Stuart, A. P. Pruitt

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 11th day of April, 1940 193.....

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 General Motors Acceptance Corp Plaintiff

and George Kahalley Defendant.

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

Given under my hand and seal, this 28th day of April, 1940 193.....

R. S. DUCK, Clerk.

Received in office this 28th day of

March

1940

W.R. Stuart

Sheriff.

(M.314)

I have executed this writ

by serving copy on

J.M. Franklin 3-30 mH

W.B. Stuart 3-30 mH

A.P. Pruitt 3-30 mH

W.R. Stuart

Sheriff.

By M.C. Hammett

ORIGINAL

No. 552

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

GENERAL MOTORS ACCEPTANCE

CORP.,

Plaintiff

VS.

GEORGE KAHALEY

Defendant

CIVIL SUBPOENA

Issued this.....day of

193.....

Clerk.

552 Imac vs Leo Kahally

JURY LIST, FIRST WEEK.

SEPTEMBER 9, 1940

1. ~~C. Maynard Cogan, Farmer, Latham.~~
2. ~~Harvey S. Rodgers, Geodetic Survey, Perdido.~~
3. ~~Scrap T. Shiver, Farmer, Perdido.~~
4. ~~Herbert H. Killcrease, Farmer, Bay Minette.~~
5. ~~Thomas L. Taylor, Farmer, Bay Minette.~~
6. ~~Joe C. Durant, Farmer, Bay Minette.~~
7. ~~Parkin T. Rhodes, Merchant, Bay Minette.~~
8. ~~Edward D. Noonan, Newport, Bay Minette.~~
9. ~~Neal H. McDuffie, Cafe Operator, Bay Minette.~~
10. ~~Curtis B. Daniels, Merchant, Bay Minette.~~
11. ~~James E. Young, Merchant, Bay Minette.~~
12. ~~Leonard J. Honner, Newport, Bay Minette.~~
13. ~~James H. Faulkner, Publisher, Bay Minette.~~
14. ~~Hiram C. Taylor, Farmer, Bay Minette.~~
15. ~~James D. Morris, Farmer, Gateswood.~~
16. ~~Holme V. Harrell, Merchant, Stapleton.~~
17. ~~Alton B. Hankins, Farmer, Loxley.~~
18. ~~Eddie L. Hiles, Mechanic, Loxley.~~
19. ~~Ferdinand A. Corte, Farmer, Loxley.~~
20. ~~Andy L. McDaniel, Farmer, Robertsdale.~~
21. ~~Nolan P. Cooper, Farmer, Rosinton.~~
22. ~~John T. Hadley, Laborer, Foley.~~
23. ~~James A. Waters, Farmer, Bon Secour.~~
24. ~~J. Emmet Wenzel, Merchant, Bon Secour.~~
25. ~~Thomas L. Steele, Farmer, Bon Secour.~~
26. ~~James A. Crane, Mechanic, Stockton.~~
27. ~~Preston Snowden, Contractor, Bay Minette.~~
28. ~~Y. Charles Hall, Farmer, Bay Minette.~~
29. ~~John H. Hadley, Filling Station, Bay Minette.~~
30. ~~James Lee Smith, Teacher, Bay Minette.~~
31. ~~Norvelle Lee Cabaniss, Farmer, Bay Minette.~~
32. ~~W. DeVan Stapleton, Insurance, Bay Minette.~~
33. ~~Jesse W. Joyner, Filling Station, Bay Minette.~~
34. ~~William J. Etheridge, Plumber, Bay Minette.~~
35. ~~H. Pete Jones, Merchant, Bay Minette.~~
36. ~~Will E. Herron, Carpenter, Bay Minette.~~
37. ~~Dennis C. Byrne, Filling Station, Bay Minette.~~
38. ~~Dennis E. Howell, Barber, Bay Minette.~~
39. ~~Sherman M. Gideons, Salesman, Bay Minette.~~
40. ~~William A. Thompson, Ins. Agent, Bay Minette.~~
41. ~~Frank M. Feminear, Clerk, Bay Minette.~~

41
14
27

13 / III III II
12 / III III I

37
12
25

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.
Moore Printing Co. Bay Minette, Ala.

THE STATE OF ALABAMA, Baldwin County.

S. D. Page No. _____ CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA--GREETINGS:

Case No. 552 Spring Term, 19340

YOU ARE HEREBY COMMANDED TO SUMMON Pierre Chestang

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 11th day of April, 1940, 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 General Motors Acceptance Corp. Plaintiff and George Kahalley Defendant.

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