

625

J. B. WICKERY,  
Plaintiff,  
VS.  
RONALD GUNNISSON,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
AT LAW,  
(Appealed from Justice Court  
of W. W. DeWolf)

Now comes the Defendant, RONALD GUNNISSON, and demurs to the Plaintiff's complaint and to each allegation therein set out, says:

FIRST:

That said complaint does not state a cause of action.

SECOND:

That said complaint does not state whether the alleged agreement was oral or in writing.

THIRD:

That said complaint does not set out the terms and conditions of said agreement.

FOURTH:

That said complaint does not set out when the said agreement was executed and when it was to be performed.

FIFTH:

That said complaint is vague, indefinite and uncertain.

*That said Complaint ~~is~~ not allege a Complaint with said Complaint*

BEEBE & HALL,

By: *W. W. DeWolf*  
Attorneys for Defendant.

RECORDED

DEMURRERS:

J. B. WICKERY,

Plaintiff,

VS.

RONALD GUNNISSON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

*Filed Jan. 29, 1941*  
*R.S. Durr, Clerk*

J. B. WICKERY,

Plaintiff,

VS.

RONALD GUNNISSON,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

AMENDED COMPLAINT.

1. The Plaintiff claims of the Defendant Thirty-six Dollars (\$36.00) due from him by account on the 21st day of October, 1940, which sum of money, with interest thereon, is still unpaid.

2. The Plaintiff claims of the Defendant the sum of Thirty-six Dollars (\$36.00) for merchandise, goods and chattels sold by the Plaintiff to the Defendant on October 21, 1940, which sum of money, together with the interest thereon, is still unpaid.



Attorney for Plaintiff.

AMENDED COMPLAINT.

J. B. WICKERY,

Plaintiff,

VS.

RONALD GUNNISSON,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

*Filed Feb. 3, 1941*  
*R.S. Duck, Clerk*

J. B. WICKERY,

Plaintiff,

VS.

RONALD GUNNISSON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW,

(Appealed from Justice Court  
of W. W. DeWolf)

Now comes the Defendant, RONALD GUNNISSON, and for answer to the Plaintiff's complaint, and to each allegation therein, separately and severally, says:

FIRST:

That the facts therein alleged are untrue.

SECOND:

That the Plaintiff ought not to recover of the Defendant, for that at the time of the commencement of suit, the Plaintiff was indebted to the Defendant, RONALD GUNNISSON, in the sum of Seventy-eight and 95/100 (\$78.95) Dollars due by account between the Plaintiff and Defendant, which amount the Defendant sets-off against the Plaintiff's claim and claims judgment for the excess.

BEEBE & HALL,

By: [Signature]  
Attorneys for Defendant.

ANSWER:

J. B. WICKERY,

Plaintiff,

VS.

RONALD GUNNISSON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

*Filed Feb. 3, 1941*  
*R. S. Durr*

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

JOHN E. WICKERY,

Plaintiff,

VS.

RONALD GUNNISON,

Defendant,

:

:

:

:

:

AT LAW

NO. 625

Comes the plaintiff in the above styled cause and moves the court that judgment be entered for the plaintiff on account of the default of the defendant in answering certain interrogatories filed January 2nd, 1942, thirty (30) days having lapsed in accordance with the requirements of the statute and further that the costs be assessed to the defendant.

*Richard D. Demere*  
Attorney for Plaintiff

John B. Wickery

vs

Ronald Gunnison

# 624

Motion for judgment for  
failure to answer interroga-  
toes.

Filed April 11 1945  
Richard  
Clerk

RICHARD J. DEMEREE  
ATTORNEY AT LAW  
FIRST NATIONAL BANK BUILDING  
MOBILE, ALABAMA



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 shall be barred.  
Times Prtg. Co., Bay Minette.

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT  
Nov Term, 1941  
Case No. 624

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon

James Cleverdon, S'dale

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

Pltf

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-

of, by 8:30'clock of the forenoon, on the 5<sup>th</sup> day of Nov, 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 Ronald Gunnerson Plaintiff

and J. B. Wickery Defendant.

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

Given under my hand and seal, this 1<sup>st</sup> day of Nov, 1941

R. S. Gunnerson Clerk

Received in office this \_\_\_\_\_ day of \_\_\_\_\_ 194\_\_\_\_\_

SHERIFF

I have executed this writ

Returned this 3rd day of November  
not found in Baldwin County.  
W.R. Stuart, Sheriff  
By [Signature] Deputy Sheriff

SHERIFF

ORIGINAL

No. 624

Page \_\_\_\_\_

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

Ronald Lumsden

Plaintiff

VS.

J B Whickery

Defendant

CIVIL SUBPOENA

Issued this 1st day of Nov 1941

[Signature]  
Clerk.

JOHN B. WICKERY, :  
Plaintiff, :

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

vs. :

AT LAW

RONALD GUNNERSON, :  
Defendant. :

No. 625

Comes the plaintiff in the above styled cause and moves the Court that judgment be entered for the default of the defendant in failing to answer certain interrogatories filed on January 2, 1942, in that more than thirty days have now lapsed since said interrogatories were filed.

  
Attorney for Plaintiff

✓

655

Quil

J B Niesky

vs.

Ronald Gunnison.

Motion for judgment  
for failure to answer in-  
terrogatories.

65  
7  
465

536 • 01

July 28 9 42  
J. B. Niesky  
Quil

The State of Alabama, } S. D. Page No. \_\_\_\_\_  
Baldwin County } Case No. 624 Spring Term, 19341  
CIRCUIT COURT

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON \_\_\_\_\_

Otto Harns, (Summerdale), Clarence Bradford (Fairhope), Rufus McCurdy (Fairhope)

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

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 19341, 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 Ronald Gunnison Appellant

and J. B. Wickery Appellee  
Defendant.

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

Given under my hand and seal, this 27th day of January, 193 41

R. L. Duck  
CLERK.

Received in office this 27 day of

January 1941

W.R. Stuart  
By M.B.H. SHERIFF

I have executed this writ

This 30<sup>th</sup> day of January  
1941 by serving  
otto Harris and  
Clarence Bradford.

Refused M. Dorchy out  
By State.

W.R. Stuart  
By H.A. Whitting SHERIFF

ORIGINAL

No. 624

Page

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

Ronald Gunnison appellant

Plaintiff

VS.

J.B. Wickery appellee

Defendant

CIVIL SUBPOENA

Issued this \_\_\_\_\_ day of

193

Clerk.

## BOND

The State of Alabama, {  
Baldwin County

JUSTICE COURT.

KNOW ALL MEN BY THESE PRESENTS :

That we, J. B. Wickeryare held and firmly bound unto Ronald Gunnissonin the sum of Seventy Two Dollars, tobe paid to the said Ronald Gunnisson

heirs, executors, administrators, or assigns, for which payment, 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, firmly by these presents.

Sealed with our seals and dated the 16th day of October 1940.

## THE CONDITION OF THIS OBLIGATION IS SUCH:

That whereas the above bounden J. B. Wickery

ha S commenced suit in the Justice Court of said County by summons and complaint, which have issued from said Court, to recover of said Ronald Gunnisson

in the sum of Twenty six Dollars,

and ha S on the day of date hereof, prayed that Writ of Garnishment issue out of said Court to Alabama Dry Docks & Shipbuilding Co

summoning h in to answer what his indebted to said Defendant, or what effects of said Defendant in his possession, or under his control; and said Plaintiff having made oath as required by law in such cases, said Writ is about to issue out of said Court; returnable to the next term of the Justice Court to be holden for Baldwin County.

NOW, if the said Plaintiff shall prosecute the garnishment to effect, and pay the Defendant all such costs and damages as he may sustain, by reason of the wrongful or vexatious suing out of this Garnishment, then this obligation to be void; otherwise to remain in full force and effect.

And we and each of us hereby waive all rights of claim of exemption we or either of us have now, or J. B. Wickery may hereafter have, under the Constitution and Laws of Alabama, and

hereby severally certify that he have property free from all incumbrance, to the full amount of the above bond.

Approved this

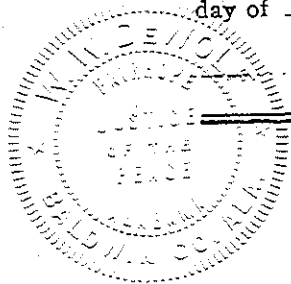
16th

day of

October1940W. W. DeWolf, J. P.J. B. Wickery [Seal]

[Seal]

[Seal]



**The State of Alabama,**  
Baldwin CountyBefore me Richard J. DemerreeJustice of the PeacePrecinct 10in and for said County, personally appeared J. B. Wickerywho, being duly sworn, deposes and say that Ronald Gunnissonis indebted to the said J. B. Wickeryin the sum of Twenty-sixa suit against the said Ronald Gunnissondollars, for which he has commenced  
by summons and complaint beforeW. F. De Wolfa Justice of the Peace (or a notary public, ex-officio justice of  
the Peace) in and for said county, returnable before said justice (or notary) on the 23rd day of  
October 1934, and that he believes that process of garnishment againstAlabama Dry Dock & Shipbuilding Cois necessary to obtain  
satisfaction of said indebtedness, and that said Alabama Dry Dock & Shipbuilding Co

said Defendant in his possession or under his control.

Subscribed and sworn to before me on this the 16th  
day of October, 1934.Richard J. DemerreeBaldwin County, AlabamaFiled November 13, 1940  
R. S. Durr, Clerk

116

RECORDED

No. \_\_\_\_\_

THE STATE OF ALABAMA,  
Baldwin County.

## JUSTICE COURT

J. B. Wickery

By DEMEREE &amp; SMITH

Plaintiff \_\_\_\_\_

TO

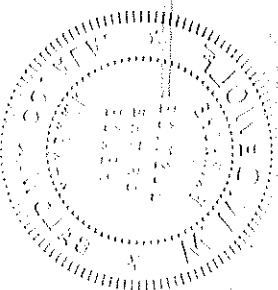
Ronald Gunnisson

Defendant \_\_\_\_\_

Bond and Affidavit in Garnishment on Summons

Filed this the 16th day ofOctober 1934.

Clerk. \_\_\_\_\_





NOTICE TO DEFENDANT IN GARNISHMENT

Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA, {  
Baldwin County.

IN THE JUSTICE COURT OF

W W De Wolf- Fairhope

J. B. Wickery

Plaintiff.

vs.

Harrold Gunnisson

Defendant.

Alabama Dry Docks & Shipbuilding Garnishee

To Harrold Gunnisson, as Defendant:

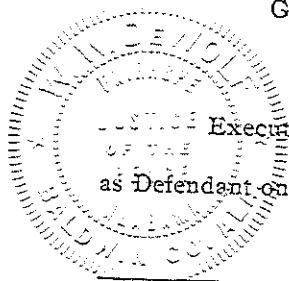
You will take notice that a Writ of Garnishment has this day been issued out of this Court directed to Alabama Dry Docks & Shipbuilding as Garnishee, in the above styled cause, said Writ of Garnishment being returnable to this Court on the 23rd day of October 1940

Given under my hand this the 16th day of October 19 40.

W. W. De Wolf J. P.

Executed by handing a copy of the above to \_\_\_\_\_  
as Defendant on this the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
Constable.



**The State of Alabama**  
**BALDWIN COUNTY**

**NOTICE TO DEFENDANT IN**  
**GARNISHMENT**

**Justice Court of**

**W W De Wolf**

**J. B. Wickery**

**vs.**

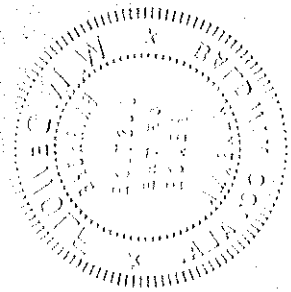
**Harrold Gunnisson**

**Defendant**

**Alabama Dry Docks & Shipbuilding**  
**Garnishee**

Filed this 16th day of October  
19 40

**J. P.**



**RECORDED**

*Filed November 13, 1940*  
*R.S. Durb, Clerk*

FAIRHOPE ALABAMA OCT 30-40.

TO WHOM IT MAY CONCERN.

I HEREBY CERTIFY THAT I INTRODUCED HARROLD GUNNISON TO OTTO HARMS. AS A RESULT MR HARM GAVE A CONTRACT TO HARROLD TO DIG AND HAUL THE POTATOES COMING OUT OF SAID THIRTY FIVE ACRES. AND THAT HARROLD DID HAUL THE SAME AND DELIVERED TO PACKING SHED LOCATED IN SUMMERDALE ALABAMA ,AND OPERATED BY M R JIM CLEVENDEN, WHO CAUSED THE POTATOES TO BE WEIGHED AND GRADED. AND THE TOTAL WEIGHT OF POTATOES WAS 84 TO 90 TONS.

RESPECTFULLY YOURS

C. W. Bradford

J. B. Criskey Witness.

**The State of Alabama**  
**BALDWIN COUNTY**

**NOTICE TO DEFENDANT IN**  
**GARNISHMENT**

**Justice Court of**

**W W De Wolf**

**J. B. Wickery**

**vs.**

**Harrold Gunnisson**

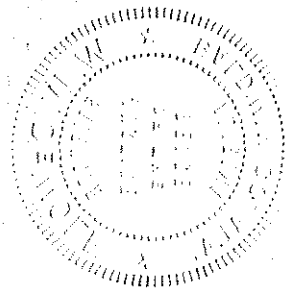
**Defendant**

**Alabama Dry Docks & Shipbuilding**  
**Garnishee**

Filed this **16th** day of **October**

19 **40**

**J. P.**



**RECORDED**

*Filed November 13, 1940*  
*R.S. Ducey, Clerk*

J. B. Winslow  
vs  
Harold Emerson.

State Court of Civil Claims  
a return.

Filed November 13, 1940  
R. S. Dwyer, Clerk

THE STATE OF ALABAMA, }  
Baldwin County

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

Summon Harrold Gunnisson- (Employed at Alabama Dry Docks)

to appear before me on the 23rd day of October 19340, next, at my office in  
at 10 o'clock

Dixie Hotel-Fairhope Baldwin County, Alabama, to answer the complaint of

J. B. Wickery

and then and there make a return of this summons.

Issued the 16th day of October 19340

W. W. DeWolf Justice of Peace.

COMPLAINT

J. B. Wickery

By DEMERE & SMITH

Attorneys at Law

Plaintiff

VS.

Harrold Gunnisson

Defendant

The Plaintiff claims of the Defendant the sum of Sixty-four and 70/100 Dollars

damages for breach of an agreement entered into by him on or about  
May 5th by which he promised to pay 50% of 98 Tons @ 80 cts per  
ton for the use of a heavy duty truck used to haul potatoes from  
field of Otto Harns, Sumnerdale to Railway Station from May  
5th to June 3rd inclusive \$39.20 and for divers items of cash  
goods and chattels from March 23rd to April 12, 1940 same totaling  
\$25.50 which sums of money, with the interest thereon, is  
still unpaid.

DEMERE & SMITH

Richard J. Demere Plaintiff's Attorney.

*Filed November 13, 1940*  
*R. S. Duck, Clerk*

Executed by personal service and notice of

No. \_\_\_\_\_

Page \_\_\_\_\_

**RECORDED**

Garnishment \_\_\_\_\_

**THE STATE OF ALABAMA**  
**BALDWIN COUNTY**

IN THE JUSTICE COURT OF

W. W. De Wolf

Term, 193\_\_\_\_\_

**SUMMONS and COMPLAINT**

J. B. Wickery

By DEMERE & SMITH

Attorneys at Law

Plaintiff\_\_\_\_\_

VS

Harrold Gunnisson

Defendant\_\_\_\_\_

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

Alabama-Dry-Decks & Shipbuilding

\_\_\_\_\_  
J. P.

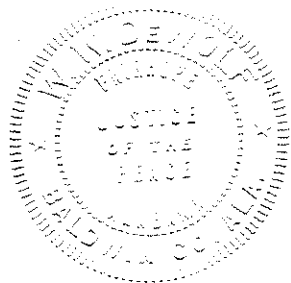
Location \_\_\_\_\_

J. B. WICKERY vs. HARROLD GUNNISSON

To the Clerk of the Circuit Court of Baldwin County, Alabama:

I hereby certify that the foregoing is a full, complete, and exact transcript from my Docket, of the judgment and proceedings, in the above cause, and I herewith send to the Circuit Court of Baldwin County, Alabama, all the original and other papers pertaining to the said cause.

Given under my hand, this 11th day of November, 1940.



W. W. Dill Wolf  
Justice of the Peace

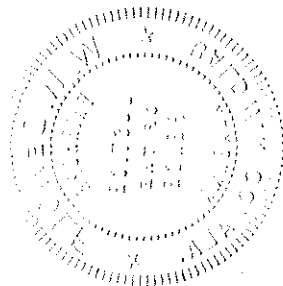


J.B. Wiley.

no.

Harold Gunnison.

Justice's certificate to  
Transcripts.



Filed November 13, 1940

R.S. Ditch, Clerk

STATE OF ALABAMA )  
COUNTY OF MOBILE )

J. B. WICKERY PLAINTIFF

HAROLD GUNNISON DEFENDANT.

VS.

ALABAMA DRY DOCK & SHIPBUILDING COMPANY, Garnishees:

Before the Justice Court of W. W. De WOLF  
Baldwin County,  
Court of ~~Mobile~~, in and for said County and State:

And now comes the Alabama Dry Dock and Shipbuilding Company,  
Through and by J. R. Jones its agent duly  
authorized by it to make this answer, and for answer to the  
garnishment in this cause says:

That at the service of this writ of garnishment and at the  
time of making its answer thereto, it is indebted to said  
defendant in the sum of Ten & 32/100 - - - - - Dollars,  
(\$10.32) being wages, salary or compensation for personal  
services rendered by defendant, who is a resident of the State of  
Alabama, and that neither at the time of the service of said  
writ, nor at any time since has it been indebted to said defendant  
in any other and further sum; and that it will not be indebted  
in the future to said defendant by a contract now or previously  
existing; and that it is not liable to said defendant by a contract  
now or previously existing for the delivery of personal property  
or for the payment of money which may be discharged by the delivery  
of personal property or which is payable in personal property; and  
that it has not now in its possession or under its control any  
money or effects belonging to said defendant, and that it has not  
had in its possession or under its control since the service of said  
writ any money belonging to said defendant, and that it does not  
know or believe that any other person is indebted to said defendant;  
and that it does not know or believe that any other person has  
effects of said defendant in his possession or under his control.

This amount being less than \$25.00, is exempt.

And having answered said Garnishment, prays to be hence dis-  
missed with its reasonable costs in his behalf expended.

ALABAMA DRY DOCK & SHIPBUILDING CO.

By [Signature] Agent.

Subscribed and sworn to before me, this

21st day of October 19 40.

[Signature]  
Notary Public, Mobile County,  
Alabama.

RECEIVED  
JAN 10 1940

RECEIVED  
JAN 10 1940

1

J B Winkley

Harold Garrison

Answer of Garrison

RECORDED

Filed November 13, 1940  
R. S. Pugh, Clerk

...with the necessary costs in the report, expenses, and having answered said Government's reply to the same...

...and the same is hereby...

...and the same is hereby...

J. B. WICKERY,

Plaintiff,

VS.

HAROLD GUNNISSON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

(Appealed from Justice Court  
of W. W. DeWolf)

Now comes the Defendant, HAROLD GUNNISSON, and for answer to the Plaintiff's complaint, and to each allegation therein, separately and severally, says:

FIRST:

That the facts therein alleged are untrue.

SECOND:

That the Plaintiff ought not to recover of the Defendant, for that at the time of the commencement of suit, the Plaintiff was indebted to the Defendant, HAROLD GUNNISSON, in the sum of One Hundred and Twenty-five (\$125.00) Dollars due by account between the Plaintiff and Defendant, which amount the Defendant sets-off against the Plaintiff's claim and claims judgment for the excess.

BEEBE & HALL,

By: *[Signature]*  
Attorneys for Defendant.

ANSWER:

J. B. WICKERY,

Plaintiff,

VS.

HAROLD GUNNISSON,

Defendant.

*Pleas of General Issue and  
Set Off.*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

*Filed Feb. 3, 1941*

*R. S. Durb, Clerk*

J. B. WICKERY,

Plaintiff,

VS.

HAROLD GUNNISSON,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

AMENDED COMPLAINT.

1. The Plaintiff claims of the Defendant Sixty-four and 70/100 Dollars (\$64.70) due from him by account on the 3rd day of June, 1940, which sum of money, with the interest thereon, is still unpaid.

Richard S. Deane

Attorney for Plaintiff.

AMENDED COMPLAINT.

J. B. WICKERY,

Plaintiff,

VS.

HAROLD GUNNISSON,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

*Filed Feb. 3, 1941*  
*R.S. Duck, 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 shall be barred. Times Prtg. Co., Bay Minette.

**THE STATE OF ALABAMA**  
**BALDWIN COUNTY**

} Case No. 825 625 Nov. Term, 1942

**CIRCUIT COURT**

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon James Cleverdon.

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 there-

of, by 8 30 o'clock of the forenoon, on the 3rd day of November., 1942

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 Harold Gunnison. Plaintiff

and J B Wickery. Defendant.

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

Given under my hand and seal, this 30th day of Oct. 1942



Clerk



Received in office this 30 day of

Oct

194

W B Stuart

SHERIFF

I have executed this writ

Det James  
Trucon Arizona

W B S

SHERIFF

Summerville Ala

ORIGINAL

No 25.

Page

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

~~Harold Gunnison.~~

Plaintiff

VS.

~~J B Wickery.~~

Defendant

CIVIL SUBPOENA

Issued this 30th day of

Oct.

1942

R. S. Luck

Clerk.

JOHN B. WICKERY, : IN THE CIRCUIT COURT OF  
Plaintiff, : BALDWIN COUNTY, ALABAMA  
vs. : AT LAW  
HAROLD GUNNERSON, :  
Defendant. : NO. 624

Comes the plaintiff in the above styled cause and moves the Court that judgment be entered for the default of the defendant in failing to answer certain interrogatories filed on January 2, 1942, in that more than thirty days have now lapsed since said interrogatories were filed.

  
Attorney for Plaintiff

624  
Cell

J.B. Mierkey,

Harold Gennison.

Motion for judgment  
for failure to answer  
interrogatories.

Filed Feb 25 1942  
P. J. [unclear]  
Cell -

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

JOHN B. WICKERY,

Plaintiff,

VS.

H. GUNNISON,

Defendant.

:

:

:

:

:

AT LAW

NO. \_\_\_\_\_

Comes the plaintiff in the above styled cause and moves the court that judgment be entered for the plaintiff on account of the default of the defendant in answering certain interrogatories filed January 2nd, 1942, thirty (30) days having lapsed in accordance with the requirements of the statute and further that the costs be assessed to the defendant.

Richard D. Demaree  
Attorney for Plaintiff

625-  
John B. Wickery

vs

H. Gunnison

Motion for judgment for  
failure to answer interrogatories.

Filed April 11, 1942  
Richard J. Demeree  
Clerk

RICHARD J. DEMEREE  
ATTORNEY AT LAW  
FIRST NATIONAL BANK BUILDING  
MOBILE, ALABAMA

RECEIVED  
APR 11 1942  
CLERK OF DISTRICT COURT  
MOBILE, ALABAMA

Summersdale Oct 30<sup>th</sup>, 1940

To Whomever it may Concern.

I Otto Harms beg to state, that  
in placing contract to dig and haul  
my 35 acres of Potatoes this spring I  
dealt only, and direct with Harold  
Gunnissaw. I had nothing to do with  
Mr. Wickery. I did not have the  
pleasure of his acquaintance at that  
time.

Very Truly

Otto F. Harms

Witness

E. B. Holcott

J B Winkley

Harold <sup>10</sup> Gummerson

Statement of Otto Hornum

Filed November 13, 1940

R. S. Duck, Clerk

FAIRHOPE ALABAMA OCT 21st 40. 19

**M**r Harrold Gunnisson, FAIRHOPE ALABAMA.

**To** J B. Wickery **Dr.**

**TERMS** Fairhope Alabama

		For use of Heavy Duty Truck , hauling Potatoes from field of OTTO HARMS , Summerdale to Ry Station at Summerdale from May 5th, to June 3rd inclusive,			
		98 Tons @ 80 cts per ton,		\$78 40.	
		Terms of rental of truck based on 50% to each party.		\$39 20.	
March	23rd	Cash A/c Payment on Cultivator parts	\$ 5.00		
"	1940	Four bags of Fertilizer	9.20		
"	"	Overcharging on cutting Potatoes,	4 .25		
April	12,	Cash,	2.50		
"		Nannie Goat and two Kids,	2.00		
"	3rd,	Feed for horses,	2.65		
			-----	\$25.50	
				\$61 70	



J. B. WICKERY,

Plaintiff,

VS.

HAROLD GUNNISSON,

Defendant.

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA,

) AT LAW.

) (Appealed from Justice Court  
) of W. W. DeWolf)

Now comes the Defendant, HAROLD GUNNISSON, and demurs to the Plaintiff's complaint and to each allegation therein set out, says:

FIRST:

That said complaint does not state a cause of action.

SECOND:

That said complaint does not state whether the alleged agreement was oral or in writing.

THIRD:

That said complaint does not set out the terms and conditions of said agreement.

FOURTH:

That said complaint does not set out when the said agreement was executed and when it was to be performed.

FIFTH:

That said complaint is vague, indefinite and uncertain.

*That said Complaint <sup>briefly</sup> does not allege a Complaint with said Contract*

BEEBE & HALL,

By: Shirley

Attorneys for Defendant.

RECORDED

DEMURRERS:

J. B. WICKERY,

Plaintiff,

VS.

HAROLD GUNNISSON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

*Filed Jan. 29, 1941*  
*R. S. Duck, Clerk*

STATE OF ALABAMA

COUNTY OF BALDWIN

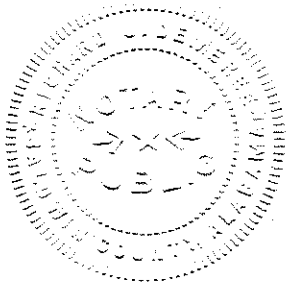
Before me, Richard J. Demeree, a notary public in and for said county and state, personally appeared J. B. Wickery, known to me, who after being first duly sworn on oath, deposes and says that Harold Gunnison, defendant in the case of ~~J. B. Wickery vs. Harold Gunnison~~, is not a member of the military forces of the United States of America, and that deponent has personal knowledge of the correctness of the above statement.

John B. Wickery

Subscribed and sworn to before me this

3 day of September, 1942.

Richard J. Demeree  
Notary Public, Baldwin County, Alabama

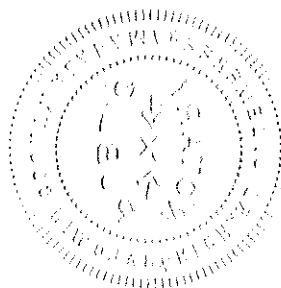


J.B. Whistley  
no.  
Harold Gunnison.

Non-Military Affidavit.

62  
L

Filed Sept 5<sup>th</sup> 1944  
Rouben  
Gary



The State of Alabama, } Before me Richard J. Demeree  
Baldwin County } Fairhope Precinct 10

in and for said County, personally appeared J. B. Wickery

who, being duly sworn, deposes and say that Harrold Gunnißon

is indebted to the said J. B. Wickery

in the sum of Sixty-four and 70/100 dollars, for which he has commenced

a suit against the said Harrold Gunnißon by summons and complaint before

W. W. De Wolf, a Justice of the Peace (or a notary public, ex-officio justice of

the peace) in and for said county, returnable before said justice (or notary) on the 23rd day of

October 193 40, and that he believes that process of garnishment against

Alabama Dry Docks and Shipbuilding Co is necessary to obtain

satisfaction of said indebtedness, and that said Alabama Dry Docks & Shipbuilding Co

is supposed to be indebted to said Defendant, or has effects of said Defendant in his possession or under his control.

*J. B. Wickery*

Subscribed and sworn to before me on this the 16th

day of October, 193 40.

*Richard J. Demeree*

Baldwin County, Alabama.

RECORDED

116

No.

THE STATE OF ALABAMA,  
Baldwin County.

JUSTICE COURT

J. B. Wickery

By DEMEREE & SMITH

Attorneys at Law

Plaintiff

TO

Harrold Gunnißon

Defendant

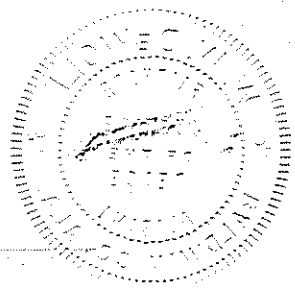
Bond and Affidavit in Garnishment on Summons

Filed this the 16th day of

October 193 40

Clerk.

Filed November 13, 1940  
R. S. Duck, Clerk

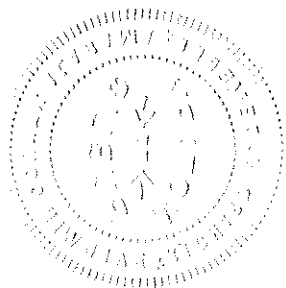


J.B. Histing  
20.  
Harold Gunnison.

Non-Military Affidavit.

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Filed Sept 5 1944  
Roubid  
Day



TRANSCRIPT OF CIVIL CASES FROM JUSTICE'S COURT OF W. W. DeWOLF,  
BEAT 10, BALDWIN COUNTY, ALABAMA

J. B. WICKERY

vs.

HARROLD GUNNISSON

CAUSE OF ACTION

To recover \$64.70 damages for breach of an agreement by which the defendant promised to pay 50% of 98 tons, at 80 cents per ton for the use of a heavy duty truck used to haul potatoes from field of Otto Harms, Summerdale to Railway Station.

Demeree & Smith attorney's for plaintiff.

Witnesses: For plaintiff, J. B. Wickery;  
For defendant, Harrold Gunnisson, Donald Gunnisson and Mrs. Gunnisson.

DISPOSITION OF CASE

Summons and Complaint Issued October 16, 1940.

Return Executed by A. E. Demosey, Deputy Sheriff, October 18, 1940.

October 30--Came the parties before me and after hearing the evidence it is considered by the court that the plaintiff recover of the defendant \$64.70, plus the court costs.

November 4--The defendant filed an appeal bond.

ITEMIZED BILL OF COSTS

Justices Fees

Issuing Summons.....	\$ .50	
Issuing Summons to Garnishee and taking answer....	.50	
Garnishment Bond and Affidavit.....	.50	
Notice to Defendant.....	.15	
Docketing Cause.....	.10	
Trial of case.....	2.00	
Appeal, including Bond.....	1.00	\$4.75

Constable's Fees

Serving Summons.....	\$1.50	
Serving Garnishment.....	.25	
Notice to Defendant.....	.25	\$2.00
Total Costs.....		\$6.75

J. B. Wiskery  
 in  
 Harold Gummerson.

Transcripts from  
 J.P. Court.

For recording, please send to the Court Clerk's Office.

File # 100-10000.

Examination of this

Examination and recording should be made.

Examine the records, and if necessary, make copies of the same.

It is suggested that the records be examined and if necessary, copies be made of the same.

Examine the records and if necessary, make copies of the same.

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Examine the records and if necessary, make copies of the same.

Filed November 13, 1940  
 R. S. Duch, Clerk



**The State of Alabama,** {  
Baldwin County.

That we, The Undesigns  
are held and firmly bound unto J. B. Wickery  
in the sum of One Hundred Forty and NO/100 \$140.00 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. But upon condition, that if the above  
bound Harold Gunnison shall prosecute to  
effect an appeal by him taken this day to the next term of the Circuit Court of  
Baldwin County from a judgment rendered against him in favor of said J. B. Wickery  
by W. W. DeWolf  
a justice of the peace for said county, for the sum of Sixty Nine and 70/100 \$69.70  
Dollars, debt in said appeal, shall pay such judgment, both as to  
debt and costs as may be rendered against him by the said Circuit Court of  
Baldwin County, then, in either of said events, this obligation to be void, otherwise to remain in full  
force and effect.

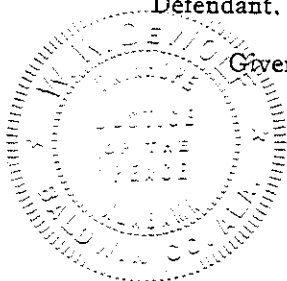
Given under our hands and seals, this the 4th day of November, 1940.  
Approved: \_\_\_\_\_

W. W. DeWolf J. P. Harold Gunnison (L.S.)  
J. E. Thompson (L.S.)  
Geo Gabel (L.S.)

**THE STATE OF ALABAMA, }**  
**BALDWIN COUNTY**

TO ANY LAWFUL OFFICER OF SAID COUNTY :

You are hereby required to summon Alabama Dry Docks & Shipbuilding Co  
personally to appear before me W. W. De Wolf Justice of the Peace in and  
for the County aforesaid, at my office Dixie Hotel-Fairhope on the 23rd  
day of October, 1940, at 10 o'clock of said day, to answer upon oath in a Garnish-  
ment at the instance of J. B. Wickery by DEMEREE & SMITH vs.  
Harrold Gunnisson what goods and chattels of said Defendant  
you have in your hands or possession, what sum or sums of money, or quantity of merchandise or goods  
and chattels you owe to the said Defendant by any existing contract; and what goods and chattels you  
know to be in the hands of any other person belonging to said Defendant, and what sum or sums of money,  
quantity of merchandise, goods and chattels you know to be due from any person or persons to the said  
Defendant.

Given under my hand and seal at office, the 16th day of October, 1940W. W. De Wolf (L. S.)  
Justice of the Peace.

RECORDED

No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

APPEAL BOND

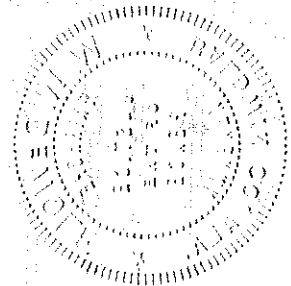
JUSTICE'S COURT OF

PLAINTIFF

VS.

DEFENDANT

Filed this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_



*Filed November 13, 1940*  
*R.S. Duch, Clerk*

Filed November 12, 1940  
K.S. Duck, Clerk

**RECORDED**

No. \_\_\_\_\_

**GARNISHMENT SUMMONS**

JUSTICE COURT OF

W W De Wolf

J. B. Wickery

Plaintiff.

vs

Harrold Gunnisson

Defendant.

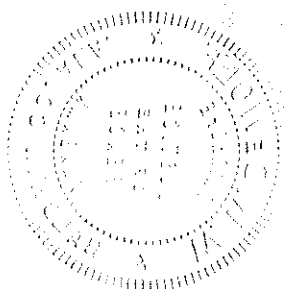
Alabama Dry Docks & Shipbuilding

Garnishee.

The Defendant is employed at

~~Alabama Dry Docks & Shipbuilding~~

Moore Printing Co.



655 —  
J. B. WICKERY, Plaintiff  
vs.  
HAROLD GUNNISON, Defendant

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

INTERROGATORIES TO BE PROPOUNDED TO  
HAROLD GUNNISON, ~~and~~  
~~and~~ ~~and~~ ~~and~~

1. What is your name?
2. Where do you reside?
3. Did you enter into an agreement with Mr. Wickery on or about May 5, 1940 to haul potatoes for him?
4. If so, how much were you to pay Mr. Wickery for the use of his truck?
5. How many tons potatoes did you haul in the truck?
6. Where did you haul the potatoes from and where did you haul them to, if anywhere?
7. Have you ever made any settlement with Mr. Wickery arising out of this transaction?
8. Do you make any counter-claim against this transaction?
9. If so, how much do you claim and for what service?
10. Please attach to these interrogatories a full, true and correct, itemized statement showing the amounts which you admit owing Mr. Wickery, if any, and detailing all claims made by you as set-offs or counter-claims.
11. Attach to your answers a correct, itemized statement showing all work and labor done by you for the plaintiff which you claim the plaintiff has not paid you for, if any.

STATE OF ALABAMA

COUNTY OF BALDWIN

Before me, Gayle Wilder, a notary public within and for said county and state, personally appeared Richard J. Demeree who, being by me first duly and legally sworn, deposes and says: That he is the attorney for the plaintiff in the above entitled cause and that the answers to the foregoing interrogatories, if well and truly made, will be material testimony for the plaintiff in this case.

Richard J. Demeree

Sworn to and subscribed Before me on  
this the 31 day of December, 1941.

Gayle Wilder  
Notary Public, Baldwin County, Alabama

*[Faint, illegible handwritten notes at the top left of the page.]*

*[Faint, illegible handwritten notes at the bottom left of the page.]*

*[Faint, illegible handwritten notes in the middle left section.]*

*[Faint, illegible handwritten notes in the middle section.]*

*[Faint, illegible handwritten notes in the middle right section.]*

*[Faint, illegible handwritten notes in the bottom right section.]*

Executed by serving a copy of the within Interrogatories  
on Hubert M. Hall a member of the firm of Beebe & Hall.  
This the 2nd day of January 1942.  
BY W.R. Stuart Sheriff  
[Signature] Deputy Sheriff

*J.B. Wiskey*  
*Harold Cummins*  
*Interrogations*  
*Served Jan 2, 1942*

*56*

625

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.  
TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS

S. D. Page No. \_\_\_\_\_ CIRCUIT COURT  
Case No. 624 Nov Term, 1941

YOU ARE HEREBY COMMANDED TO SUMMON James Cleverdon

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 5 day of Nov 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 Ronald Gunnison Plaintiff and J. B. Wickery Defendant.  
Herein fail not, and have you then and there this Writ.

Given under my hand and seal, this 12th day of Nov 1941

R. S. Duck 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.  
Moore Printing Co. Bay Minette, Ala.

THE STATE OF ALABAMA, Baldwin County.  
TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS:

S. D. Page No. \_\_\_\_\_ CIRCUIT COURT  
Case No. 624 Spring Term, 1941

YOU ARE HEREBY COMMANDED TO SUMMON

Rufus McCurdy (7'lope)

if to be found in your County, at the instance of the \_\_\_\_\_  
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 Ronald Gunnison Plaintiff and J. B. Wickery Defendant.  
Herein fail not, and have you then and there this Writ.

Given under my hand and seal, this 27th day of January 1941

R. S. Duck CLERK

CIVIL SUBPOENA—COPY—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  
Times Pg. Co., Bay Minette.

THE STATE OF ALABAMA  
BALDWIN COUNTY  
To any Sheriff of the State of Alabama, GREETING:

CIRCUIT COURT  
Case No. 625, Nov. Term, 1942

You are hereby commanded to summon James Cleverdon.

if to be found in your County, at the instance of the Pltff,  
to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-  
of, by 8 30 o'clock of the forenoon, on the 3rd day of November, 1942  
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 Harold Gunnison Plaintiff  
and J. B. Wickery Defendant.

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

Given under my hand and seal, this 30th day of Oct.

R. S. Duck 1942  
Clerk

Am Pensacola Fla. staying  
with Aunt Mrs. Minnie  
Gluckerville who works  
at coffee mill.

Pupus is working  
at some restaurant.