

649

AMOS GARRETT,

Plaintiff,

VS.

J. M. BERGA,

Defendant.

IN THE JUSTICE COURT OF

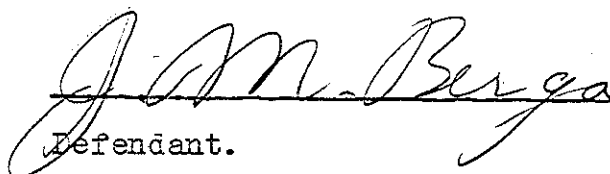
J. J. GANUS, PRECINCT 9,

BALDWIN COUNTY, ALABAMA.

PLEAS.

Now comes the Defendant in the above entitled cause and for plea to the Complaint sets down and assigns, separately and severally the following:

1. Not guilty.
2. The account sued on is barred by the statute of limitations of three years.
3. The account sued on is barred by the statute of limitations of six years.


Defendant.

679

Filed March 17, 1941
R. S. Durr, Clerk

Form 41A --Printed and for sale by Moore Printing Co., Bay Minette, Ala.

Transcript of Civil Cases from Justice's Court of J. J. Gannus Baldwin County, Ala.

VERMIZED BILL OF COSTS

[illegible]

535-

300

65

1200

Filed March 17, 1941

R. L. Dorch, Clerk

The State of Alabama,
Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA,—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Amos Garrett

at the instance of the Defendant, if he should be found in your County, personally
to be and appear before the Circuit Court of Baldwin County at the present term thereof, to be holden at the Court
House in Bay Minette, to wit: on the 3rd day of November, 19 42
at 8:30 A. M., and to bring with him and produce at the time and place aforesaid, to be used as evidence

(here describe it),

The original ledger containing the account for which this
suit is filed

and then and there testify and the truth to speak concerning all and singular those things of which he may have knowl-
edge, or the said instrument of writing doth import of, and concerning, and concerning a certain suit now pending and
undetermined in said Court, wherein Amos Garrett is Plaintiff
and J. M. Berga is Defendant.

And this he shall in nowise omit, under penalties of what the law directs, and shall have you, then and there this writ
with your endorsement thereon in what manner you have executed same.

Witness my hand, this 30th day of October, 19 42.

R. A. Dyer
Clerk.

10-31-42

Received in Sheriff's Office
this 30 day of Oct, 1942
W. R. STUART, Sheriff

Executed this 31 day of
October 1942 by sending
a copy of within writ
on Dr. Amos Garrett

W. R. Stuart
Sheriff

By B. F. Gueen
D.S.

No. 649

THE STATE OF ALABAMA
Baldwin County

Jim Buga

Plaintiff

VS.

SUBPOENA DECUS TECUM

Dr. Amos Garrett

Defendant.

CIRCUIT COURT

WITNESSES:

X

SET FOR TRIAL

30 day of Oct, 1924

GILL PTC. CO., MOBILE

THE STATE OF ALABAMA, }
BALDWIN COUNTY

IN THE JUSTICE COURT OF
HONORABLE J. J. GANUS

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

Summon J. M. BERGA
to appear before me on the 7th day of December 2.0. clock P.M. 1940, next, at my office in
Robertsdale, Baldwin County, Alabama, to answer the complaint of
Amos Garrett

and then and there make a return of this summons.

Issued the 7 day of December 1940

J. J. Ganus

, Justice of the Peace

COMPLAINT

AMOS GARRETT	} VS. {	J. M. BERGA
Plaintiff		Defendant

The Plaintiff claims of the Defendant the sum of SEVENTY (\$70.00) - - - - - Dollars

due from the Defendant to the Plaintiff on account stated which was due and
payable on to-wit: January 1st, 1939, which sum of money with interest at
the rate of eight per cent per annum and attorneyfees, is still due and
unpaid.

Amos Garrett, Plaintiff's Attorney.

Executed by personal service and notice of

Garnishment By serving in
Person on J. M.
Berga at his
farm at Belforch

this 3rd day of December, 1940

[Signature] Constable

By _____ D C.

(659)

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN THE JUSTICE COURT OF

HON. J. J. GANUS

Term, 194

SUMMONS AND COMPLAINT

AMOS GARRETT

Plaintiff

vs.

J. M. BERGA

Defendant

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

J. J. Ganus J. P.

Location: _____

Lined March 17, 1941
R. S. Dush, Clerk

The State Of Alabama,

CIRCUIT COURT

No 649.

County.

Nov.

Term, 19...42

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

You are Hereby Commanded, That of the goods and chattels, lands and tenements of
J. M. Berga. as Principal. Defendant,
 you cause to be made the sum of Seventy and no/100 DOLLARS,
 which Dr. Amos Garrett. Plaintiff,
 recovered of Him.
 on the 2nd day of November., 1942, by the Judgment of our Circuit Court held for the County of
besides the sum of 15 80. Dollars
 costs of suit, and have the same to render to the said Dr. Amos Garrett. and make return of this Writ and
 the execution thereof, according to law.

Interest from 11 2, 19 42 to Date of Collection., 19 42.Witness, my hand this 11th day of Jan., 1943.

Clerk.

CLERK'S FEES	Amount	SHERIFF'S FEES	Amount
Issuing..... Summons and Complaint.....	\$1.25	Serving and Returning..... Summons.....	\$1.50
Issuing..... copies of same.....	.30	Serving and Returning..... Writs.....	1.30
Issuing..... Branch Summons & Complaint.....	1.25	Serving & Returning..... Subpoenas for Wit.....	.65
Issuing..... copies of same.....	.30	Levying..... Attachment.....	3.00
Entering..... Sheriff's Return or copy of above.....	.20	Entering and Returning..... Attachment.....	.25
Docketing Cause.....	.25	Summoning and Returning..... Garnishee.....	1.50
Entering..... Appearances.....	.20	Serving & Returning..... Sci. Fas..... Notices.....	1.50
Filing..... Pleas..... Demurrers.....	.10	Impaneling Jury.....	.75
..... Affidavits, Certified.....	.25	Collecting Cost, Execution.....	1.50
..... Commissions to take Depositions.....	.75	Taking and Aproving..... Replevin Bonds.....	1.00
..... copies of Innterrogatories.....		 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	Collecting Money on Execution.....	
Entering..... Judgment.....	.30	Writ of Restriction.....	2.00
Issuing Execution.....	.50	Sheriff's Commissions.....	
Entering..... Sheriff's Return of Execution.....	.20	Sheriff's Deed.....	
Issuing..... Certiorari..... Sci. Fas.....	.75	Seizing Personal Property in Detinue.....	3.00
Filing..... Certiorari, etc.....	.15	Former Sheriff's Fees.....	
Issuing..... Notices.....	.75	TOTAL SHERIFF'S FEES.....	
Issuing..... copies of same.....	.50	WAIVER..... NO WAIVER.....	
Taking..... Bonds.....	.75	Recapitulation.....	
Filing..... Bonds.....	.10	Judgment for pltf.,..... for <u>70.00</u>	70 00
Issuing..... Attachment Writ..... & taking Bond.....	1.00	Interest from.....	
Filing..... Attachments.....	.10	Damages.....	
..... Summons of Garnishee.....	.50	Clerk's Fees.....	5 30
Swearing and Ent..... Answer of Garnishee.....		Sheriff's Fees.....	1 15
Complete Record, 15c per 100 words.....	2 25	Justice of Peace Fees..... Ganus.....	5 35
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	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.....	5 30	TOTAL FEES.....	14 80

12/4 20/35
 36
 60

PD 3-4-43 55 8365

The State of Alabama,
Baldwin. COUNTY.

CIRCUIT COURT

Dr. Amos Garrett.

Plaintiff

VS

J. M. Berga,

Defendant

CIVIL EXECUTION FOR COSTS
AGAINST DEFENDANT

Judgment for for \$70.00.

Interest from 11.2.1942.

to 19. \$

Damages \$

Costs \$14.80

Total \$ 84.30.

Civil Fee Book CDS Page

Execution Docket Page

Filed Jan 11th 1942

Clerk

Beebe & Hall Plaintiff's Attorney

Defendant's Attorney

Received in Sheriff's Office

this 11 day of Jan, 1942

W. R. STUART Sheriff

COLLECT COST 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

19

Sheriff

Sheriff's Execution Docket, page

Sheriff's Fee Book, page

*Returned & 2/3/43 by
Collecting Judgment
of \$70.00 and cost 20.35-
and interest over
to R.S. Duff clerk
Less my commission
W.R. Stuart
Sheriff*

Printed by The Baldwin Times

The State of Alabama,

COUNTY.

By virtue of the within Execution, I have, at o'clock M., this day of 19

levied

Sheriff

Plaintiff's Witnesses

Amount

Defendant's Witnesses

Total

The State of Alabama, {
Baldwin County.

That we, ~~xxxxxx~~ J. M. Berga,

are held and firmly bound unto Dr. Amos Garrett,

in the sum of One Hundred Forty, & 00/100 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. But upon condition, that if the above bound ~~xxxxxx~~ J. M. Berga.

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

Dr. Amos Garrett by J. J. Ganus.

a justice of the peace for said county, for the sum of Seventy, & 00/100 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~~ 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 10 day of December 19 40

Approved:

J. J. Ganus

J. P.

J. M. Berga (I. S.)
W. B. Glavin (I. S.)
W. B. Glavin (I. S.)

RECORDED

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

APPEAL BOND

JUSTICE'S COURT OF

J. H. Amos

Dr. Amos Garrett
PLAINTIFF

VS.

J. M. Byrge
DEFENDANT

Filed this *10* day of *December*, 19*40*

Filed March 17, 1941
R. S. Duck, Clerk