

742

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 J.D. Presley 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 Peoples Bank, Frisco City, Alabama, a Corporation.

Witness my hand this 4th day of April, 1942.

Resnick
Clerk.

C O M P L A I N T.

PEOPLES BANK, FRISCO CITY,
ALABAMA, A Corporation,

Plaintiff,

-VS-

J. D. PRESLEY,

Defendant.

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

The Plaintiff claims of the Defendant the following described personal property, viz:-

One dark brown mare mule 12 years old, weight about 1200 pounds, one dark brown mare 6 years old, weight about 900 pounds, one red pidded milk cow, one red, white-faced calf, together with the value of the hire or use thereof during the detention, viz, from to-wit: December 31, 1940.

Hyatt & Rason
Attorneys for Plaintiff.

STATE OF ALABAMA,

BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

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 value of the property set out, with condition that if the Defendant is cast in the 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.

742
Civil

RECORDED

SUMMONS AND COMPLAINT.

PEOPLES BANK, FRISCO CITY,
ALABAMA, A Corporation,

-VS-

J. D. PRESLEY.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

FILED APRIL 14, 1942.

R. S. Duck
Clerk.

LAW OFFICES
HYBART & CHASON
BAY MINETTE, ALABAMA

Received in Sheriff's Office
this 4 day of April, 1942
W. R. STUART Sheriff

Executed by serving a copy of the within writ on J. D. Presley the defendant on the 13th day of April 1942, and by taking into my possession the following described property: One dark brown mare mule 12 years old and One Brown mare 6 years old, this 21st day of April 1942.
W. R. Stuart, Sheriff Baldwin County
By W. R. Stuart & A. P. Pruitt
Deputy Sheriff's

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, W. H. Hawkins, a Notary Public in and for said State and County, personally appeared John Chason, who is known to me and who after being by me first duly and legally sworn, doth depose and say under oath as follows:-

That his name is John Chason; that he is over the age of twenty-one years and is a resident of Baldwin County, Alabama, residing at Bay Minette; that he is one of the Attorneys for the Plaintiff in that certain cause now pending in the Circuit Court of Baldwin County, Alabama, in which the Peoples Bank of Frisco City, Alabama, a Corporation, is Plaintiff and J. D. Pressley is Defendant, said cause being file #747; that he is personally acquainted with said J. D. Pressley, the Defendant in said cause, and that the said J. D. Pressley was not at the time of the filing of the Complaint in said cause, or at the time of service thereon, nor is he at this time, a member of the armed forces of the United States of America within the meaning of the Soldiers and Sailors Civil Relief Act of 1940.

Sworn to and subscribed

before me, a Notary Public,

whose seal is hereto affixed

this 28 day of September, 1942.

W. H. Hawkins
Notary Public, Baldwin County,
Alabama.

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (LAW)

Term, 194

People Bank Inc. City

No. *745* vs.

J. W. Risher

BILL OF COSTS

CLERK'S FEES:	AMOUNT	SUMMARY OF FEES, COSTS, AND JUDGMENT	AMOUNT
Fees in Circuit Court—		Fees and Costs in Circuit Court:	
Docketing Cause, One Fee only of.....	<i>25</i>	Clerk's Fees	<i>775</i>
Issuing Summ. and Complt., each.....	<i>125</i>	Ex-Clerk's Fees	<i>575</i>
Issuing Alias or Branch Summons & Complaint, each	<i>125</i>	Sheriff's Fees	
Making Copies Thereof, Minimum, each.....	<i>30</i>	Ex-Sheriff's Fees	
Making Copies Thereof, over 200 Words, per 100 words	<i>15</i>	Witness Fees	
Entering Sheriff's Returns, each	<i>20</i>	Commissioner's Fees	
Entering Appearances, each	<i>20</i>		
Certifying Affidavits, each	<i>25</i>	Garnishee's Fees	
Issuing Attachments with Bond, each	<i>100</i>	Publisher's Fees	
Orders of Publication, each	<i>50</i>		
Copy of Same, each	<i>50</i>	Court Reporter's Fees, Per Day or fraction thereof	<i>5.00</i>
Issuing Summ. to Garnishee, each	<i>50</i>	Trial Tax	<i>3.00</i>
Copy of Same, Per 100 Words	<i>15</i>		
Swearing Garnishee, Etc., Per 100 words,	<i>50</i>		
.15, Minimum	<i>50</i>		
Release of Garnishee, each	<i>25</i>		
Issuing Scire Facias or Similar Notice, each	<i>75</i>		
Copies of Same, Per 100 Words.....	<i>15</i>		
Making Copy of Interrogatories, Per	<i>50</i>		
100 Words, .15; Minimum	<i>50</i>	Fees and Costs in Inferior Court:	
Commission to Take Depositions, each	<i>75</i>	Clerk of Inferior Court Fees	
Filing Depositions, Each Pkg.,	<i>10</i>	Sheriff's Fees	
Endorsing Each Package of Depositions Opened	<i>10</i>	Justice of Peace Fees	
Issuing Subpoenas, Each	<i>30</i>	Constable's Fees	
Issuing Witness Certificates, each.....	<i>25</i>		
Entering Continuances, each	<i>10</i>		
Filing Papers, each	<i>10</i>	Fees and Costs in Inferior Court	
Other Orders of Court, each	<i>30</i>	Total Fees and Costs	
Trial and Incidents	<i>75</i>	Judgment	
Entering Judgment, each	<i>30</i>	10 Per Cent Damages	
Complete Record, Per 100 Words	<i>15</i>	Interest	
Taking Bonds, each	<i>75</i>		
Certificate of Appeal	<i>25</i>	Total Judgment	
Transcript to Supreme Court, Per 100 Words	<i>15</i>	Total Fees, Costs and Judgment	
Additional Copies of Same, Per 100 Words	<i>05</i>		
Issuing Executions or Copy Thereof, each	<i>50</i>		
Entering Sheriff's Return, Per 100 Words, .15;	<i>20</i>		
Minimum	<i>20</i>	Total	
.....			
.....			
Total Clerk's Fees	<i>775</i>		
SHERIFF'S FEES:			
Serving and Returning Summons or	<i>150</i>		
Writ, each	<i>150</i>		
Levying Attachment, each	<i>300</i>		
Entering and Returning Same, each	<i>25</i>		
Seizing Personal Property Under Writ of Detinue	<i>300</i>		
Taking and Approving Bonds, each.....	<i>100</i>		
Summoning Garnishee and Return, each	<i>150</i>		
Serving and Returning Sci. Fa. or Notice, Each	<i>150</i>		
Serving and Returning Subpoenas, each	<i>65</i>		
Serving Contempt Attachment, each	<i>150</i>		
Impaneling Jury.....	<i>75</i>		
Collecting Execution for Costs Only, each.....	<i>150</i>		
Coms. for Collecting Money on Executions			
Executing Writs of Possession, each.....	<i>5.00</i>		
Making Deed to Real Estate Sold, each,	<i>2.50</i>		
.....			
.....			
Total Sheriff's Fees	<i>575</i>		

PEOPLES BANK, FRISCO CITY,
ALABAMA, A Corporation,

Plaintiff,

-vs-

J. D. PRESLEY,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE.

BALDWIN COUNTY,

ALABAMA.

A F F I D A V I T.

Before me, Ruth Hendrix, a Notary Public
in and for Monroe County, Alabama, personally appeared
J. D. Presley, who is known to me and who, after being
by me first duly and legally sworn, doth depose and say under
oath as follows: That he is Cashier and Agent of and
for the Peoples Bank, Frisco City, Alabama, a Corporation, and
as such is duly authorized to make this affidavit; that the follow-
ing property, to-wit:-

One dark brown mare mule 12 years old,
weight 1200 pounds, One dark brown mare
6 years old, weight 900 pounds, one red,
pided milk cow and one red, white faced
calf.

for the recovery of which Peoples Bank, Frisco City, Alabama, a
Corporation, has instituted suit this day in the Circuit Court
of Baldwin County, Alabama, is the property of said Corporation.

J. D. Presley

Subscribed and sworn to be-
fore me, this 24 day of
March, 1942.

Ruth Hendrix
Notary Public, Monroe County,
Alabama.

STATE OF ALABAMA,

BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: That the Peoples Bank, Frisco City, Alabama, a Corporation, as Principal and the under-signed sureties, are held and firmly bound unto J. D. Presley, his heirs, executors and administrators, in the sum of Twenty-five Dollars (\$25.00), for the payment of which well and truly to be made we bind ourselves our and each of our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seal and dated this 23 day of March, 1942.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that whereas the above bound Peoples Bank, Frisco City, Alabama, 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 J. D. Presley for the recovery of the following described personal property, viz:-

One dark brown mare mule 12 years old, weight 1200 pounds, One dark brown mare 6 years old, weight 900 pounds, One red pided milk cow and one red, white faced calf.

Now if the said Peoples Bank, Frisco City, Alabama, a Corporation, shall fail in said suit and shall pay to the said J. D. Presley, 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.

PEOPLES BANK, FRISCO CITY, ALABAMA,
A Corporation,

BY

J. D. Presley
As its *Cashier*

SEAL.

SEAL.

SEAL.

Taken and approved this
the 24 day of April
1942.

W. D. Duck
Clerk of the Circuit
Court, Baldwin County,
Alabama.

RECORDED

DETINUE AFFIDAVIT AND
BOND.

PEOPLES BANK FRISCO CITY,
ALABAMA, a Corporation,

Plaintiff,

VS.

J. D. PRESLEY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

FILED MARCH 4th, 1942.

R. S. Chason

LAW OFFICES

HYBART & CHASON
BAY MINETTE, ALABAMA

STATE OF ALABAMA,

BALDWIN COUNTY.

REPLEVIN BOND OF PLAINTIFF IN DETINUE.

KNOW ALL MEN BY THESE PRESENTS: That Peoples Bank of Frisco City, Alabama, a Corporation, as principal and the undersigned as sureties are held and firmly bond unto J. D. Presley the Defendant in that certain cause now pending in the Circuit Court of Baldwin County, Alabama, wherein Peoples Bank of Frisco City Alabama, a Corporation, is plaintiff and J. D. Presley is defendant, in the sum of Three Hundred Dollars (\$300.00) for the payment well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

Sealed with our seals and dated this 28 day of April, 1942.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH: That whereas the above named Peoples Bank of Frisco City Alabama, a Corporation, commenced an action of Detinue against said J. D. Presley as defendant by having a writ of Detinue issued out of the Circuit Court of Baldwin County, Alabama, on the 4 day of April, 1942, by which together with the endorsement thereon any Sheriff of the State of Alabama was commanded to take into his possession the following described personal property, viz:-

One brown mare mule 12 years old, weight about 1200 pounds, One dark brown mare 6 years old, weight about 900 pounds, one red pidded milk cow and one red white-faced calf,

which said writ was on the 4 day of April, 1942, placed in the hands of W. R. Stuart, as sheriff of Baldwin County, Alabama, for due execution thereof, and which said writ the said W. R. Stuart as Sheriff aforesaid executed according to its mandates by taking into his possession the following described personal property, viz:-

One brown mare mule 12 years old, weight about 1200 pounds, one dark brown mare 6 years old, weight about 900 pounds.

And Whereas, the said J. D. Presley defendant in said suit has failed and neglected for a period of 5 days from the taking into possession of said property by said sheriff as aforesaid, to give bond and take possession of said property as allowed by law.

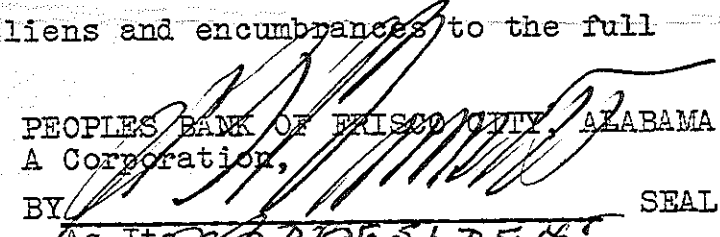
NOW THEREFORE if the said Peoples Bank of Frisco City, Alabama, a corporation, shall deliver the property levied on as above described to the said J. D. Presley, defendant in said suit, within 30 days after judgment together with damages for the detention of said property and costs of suit, in case it shall fail to recover the same in said suit, then in that event this obligation to be void, otherwise to remain in full force and effect.

And we hereby waive the benefit of all laws exempting property from levy and sale under execution and other process for the collection of debt by the Constitution and laws of the State of Alabama, and we hereby separately certify that we

(page two)

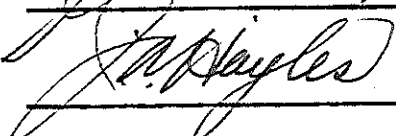
have property free from all liens and encumbrances to the full amount of this bond.

PEOPLES BANK OF PRISCO CITY, ALABAMA,
A Corporation,

BY  SEAL.

As Its PRESIDENT

 SEAL.

 SEAL.

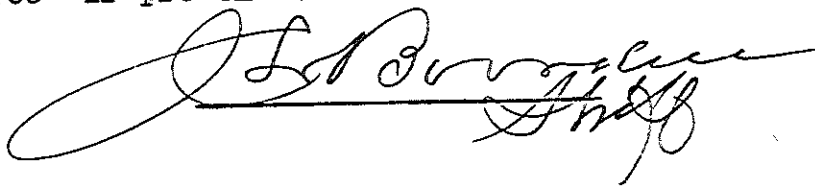
Taken and approved this the
28 day of April, 1942.


Sheriff of Baldwin County,
Alabama.

State of Alabama

Monroe County,

I J.L.Bowden Sheriff of Monroe County, ~~the~~ Certify that
the within Bond are good, and would be apporved by me as
sheriff of Monroe if presented to me.


Sheriff

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 Lamar Irwin and Francis Irwin, individually and doing business under the firm name and style of L. Irwin and Son, 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 James K. Clarke.

Witness my hand this 16 day of April, 1942.

R. S. Duck
Clerk.

C O M P L A I N T.

JAMES K. CLARKE,
Plaintiff,

-vs-

LAMAR IRWIN AND FRANCIS
IRWIN, individually and
doing business under the
firm name and style of
L. IRWIN AND SON,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE.

BALDWIN COUNTY,

ALABAMA.

The Plaintiff claims of the Defendant the following described personal property, viz:-

40 sheets 12 ft. Ch. Dr. tin roofing,
22 sheets 8 ft. Ch. Dr. tin roofing,
40 sheets 7 ft. Ch. Dr. tin roofing,
40 ft. lead ridge, 24 lbs. lead head
nails, together with the value of the
hire or use thereof during the deten-
tion, viz from, to-wit: April 15, 1942.

Hyatt Press & Son
Attorneys for Plaintiff.

STATE OF ALABAMA,

BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

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 value of the property set out, with condition that if the Defendant is case in the 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.

742 RECORDED

SUMMOND AND COMPLAINT.

JAMES K. CLARKE,
Plaintiff,

-VS-

LAMAR IRWIN AND FRANCIS
IRWIN, individually and
doing business under the
firm name and style of L.
IRWIN AND SON.

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

FILED APRIL 18th, 1942.

R. S. Duck
Clerk

LAW OFFICES

HYBART & CHASON
BAY MINETTE, ALABAMA

W. R. Stewart
Sheriff

C. C. Pruitt
Deputy Sheriff

Received in Sheriff's Office
this 18 day of April, 1942
W. R. Stewart, Sheriff

Executed by serving a copy of the within summons & complaint on Lamar Irwin and Francis Irwin, individually and doing business under the name and style of L. Irwin and Son, and taking into my possession the following described property: 40 Sheets 12ft. Ch. Dr. tin roofing, 22 sheets 8ft. Ch. Dr. tin roofing, 40 sheets 7ft. Ch. Dr. tin roofing and 20 lbs. lead nails. This the 20th day of April 1942.

CIRCUIT COURT. (LAW)

Term, 194

No. 12 vs. 1

CLERK'S FEES:	AMOUNT	SUMMARY OF FEES, COSTS, AND JUDGMENT	AMOUNT
Fees in Circuit Court—		Fees and Costs in Circuit Court:	
Docketing Cause, One Fee only of.....	.25	Clerk's Fees	7 15
Issuing Summ. and Complt., each.....	1.25	Ex-Clerk's Fees	7 25
Issuing Alias or Branch Summons & Complaint, each.....	1.25	Sheriff's Fees	
Making Copies Thereof, Minimum, each.....	.30	Ex-Sheriff's Fees	
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		
Certifying Affidavits, each	.25	Garnishee's Fees	
Issuing Attachments with Bond, each	1.00	Publisher's Fees	
Orders of Publication, each	.50		
Copy of Same, each	.50	Court Reporter's Fees, Per Day or fraction thereof ..	5.00
Issuing Summ. to Garnishee, each	.50	Trial Tax	3.00
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	Fees and Costs in Inferior Court:	
Filing Depositions, Each Pkg.,	.10	Clerk of Inferior Court Fees	
Endorsing Each Package of Depositions Opened	.10	Sheriff's Fees	
Issuing Subpoenas, Each	.30	Justice of Peace Fees	
Issuing Witness Certificates, each.....	.25	Constable's Fees	
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		
Certificate of Appeal	.25	Total Judgment	
Transcript to Supreme Court, Per 100 Words	.15	Total Fees, Costs and Judgment	
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	7 15		
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	7 25		