

Transcript of Civil Cases from Justice's Court of

CAUSE OF ACTION

H. M. Hall, Atty.

Mrs Minnie Pratt-By

for Plaintiff

F. Huber, Agent

V-5

Sullivan Sanks and

M.D. COX

DISPOSITION OF CASE

Bond and Affidavit Filed September 23rd 1941

Summons and Complaint Issued Ret. September 26th, 1941.

Ret. Executed By W. B. Stuart, Sheriff

Comes the parties at issue and on hearing the

evidence in the cause a judgement was rendered in favor of plaintiff for \$77.00 and cost of court.

Notice of appeal was given by defendants

and bond fixed at ~~\$100,000,000~~ \$100,00

G. M. Franklin

N. P. EX-O. J. P.

ITEMIZED BILL OF COST

JUSTICE'S FEES

Issuing Summons	50
Issuing Alias Summons	50
Issuing Subpoena for each witness	15
Issuing Execution and Taxing Cost	50
Issuing Summons to Garnishee and taking answer	50
Issuing Attachment Writ	50
Attachment Bond and Affidavit	1 50
Garnishment Bond and Affidavit	50
Appeal or Certiorari, including Bond	1 00
Bond	50
Administering Oath and certifying same	50
Certificate not otherwise provided for	25
Docketing Cause	10
Judgment on Forthcoming Stay or Replevin or Replevin Bond	50
Judgment on Summary Proceeding	75
Issuing Venire Facias	50
Transcript of Proceeding	50
Attending Trial or Right of Property	1 00
Sci. Fa. or notice in nature thereof	50
Making Return of Certiorari	50
Notice to Defendant	15
Release	25
Sheriff's Fees	
Serving Summons	1 00
Serving Summons on Each Witness	25
Serving Garnishment	25
Levying Execution under \$50 00	1 00
Levying Attachment under \$50.00	1 00
Making Money, 3 per cent, not less than	75
Serving Notice, etc. on each party therein	25
Serving Sci. Fa. or other like Notice	50
Taking Bail or other Bond	50
Keeping Property Levied on	

CONTRACT FEES

Sheriff's Office		Case No.		Date		Amount	
Serving	2	Summons	100				\$3.00
Serving		Summons on Each Witness	25				
Serving		Garnishment	25				
Levying		Execution under \$50.00	1				
Levying		Attachment under \$50.00	1				
Making		Money, 3 per cent, not less than	75				
Serving		Notice, etc. on each party therein	25				
Serving		Sci. Fa. or other like Notice	50				
Traking		Bail or other Bond	50				
Keeping		Property Levied on					

WITNESS' FEES

Witness _____ Days _____ 50

Garnishee's Fee

Transcript

Filed October 7, 1941.

R. L. Duck, Clerk

THE STATE OF ALABAMA, }
BALDWIN COUNTY

IN THE JUSTICE COURT OF

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

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

Summon M.D. Cox and Sullivan Sanks

to appear before me on the 30th day of September 1941, next, at my office in
the court house at Bayminette, Baldwin County, Alabama, to answer the complaint of
Mrs Minnie Pratt, By F. Huber, Agent of Mrs Minnie Pratt.
and then and there make a return of this summons.

Issued the 23rd day of September 1941J.M. FranklinN.P. Ex-O--, Justice of the Peace

COMPLAINT

Mrs Minnie Pratt,By F. Huber, Agent

Plaintiff

VS.

M.D. Cox and Sullivan Sanks

Defendant

The Plaintiff claims of the Defendant the sum of seventy seven and NO/100-x-x-0 Dollars
for money hadx and received

Mrs. Minnie Pratt Plaintiff's ~~Attorney~~
By F. Huber Agent

Received in Sheriff's Office

this 22 day of Sept., 1941

W. R. STUART, Sheriff

RECORDED

No. _____

Page _____

THE STATE OF ALABAMA

BALDWIN COUNTY

IN THE JUSTICE COURT OF

J. M. Franklin

Tuesday September 30th
Term, 1941

SUMMONS AND COMPLAINT

Mrs Minnie Pratt-By-F. Huber

Agent of Mrs Minnie Pratt

Plaintiff

vs.

M. D. Cox and Sullivan Sanks

Filed Oct. 7, 1941

R. S. Durb, Clerk

Defendant

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

J. M. Franklin, Jr. J. P.

Location: _____

Executed by ~~personal service and notice of~~

Garnishment *Serving a copy of*
the within S.C. case
Sullivan Sanks.

this 26 day of Sept., 1941

W. R. Stuart, Constable

By *M. B. H.* D. C.

on file

M. M. McMILLAN

B. F. BRYANT

BAY MINETTE, ALA.,

May 1

1934

M

Pratt Stpg.

IN ACCOUNT WITH

BALDWIN COOPERAGE CO., Ltd.

MANUFACTURERS OF

Lumber—Hardwood and Rosin Barrel Staves

13,074 ft @ 6⁰⁰

30³/₄ Units pulp wood

\$ 78.⁴⁴/_{XX}
3075

will write you in a few days

Hulsh

BAY MINETTE, ALA.,

May 12 -

E. F. BRYANT

1941

Mrs Minnie Pratt.

IN ACCOUNT WITH
BALDWIN COOPERAGE CO., Ltd.

Manufacturers of
Lumber---Hardwood and Rosin Barrel Staves

4,727 ft @ \$6.00 per m

28.36

OK

Pulp. wood stumpage

53 25

3283 ft Pine logs

81.61

109.11

100.72

BAY MINETTE, ALA.,

April 15- 1934

M.

Sullivan Sanka.

Mrs Minnie Pratt Stumpage

IN ACCOUNT WITH

BALDWIN COOPERAGE CO., Ltd.

MANUFACTURERS OF

Lumber—Hardwood and Rosin Barrel Staves

2500	Spine logs @ 6 = perm.	15.00
8.628	" " " " " "	57.76
		\$66.76
	Dog wood stumpage	293
		69.69

Dear Mrs. Pratt,

At last I am able to send you a check. I believe I will make good for you. I may have another nice check in a few days. will write you fully about next Sunday. your friend Huber

Minnie Pratt
Plaintiff

¹²
Mrs Cox and Sullivan Lawns
Defendants

In the Circuit
Court of Greene
County, Alabama
[On appeal from
Justice Court]

I

The Plaintiff claims of the Defendants
Seventy-seven (\$77⁰⁰) dollars for goods
wares and Merchandise ^{personal or things} sold by the Plaintiff
to the Defendants on to-wit: during the
Months February to July, inclusive, 1941, which
sum of money with the interest thereon is
still due and unpaid

2.

The Plaintiff claims of the Defendants
Seventy-seven (\$77⁰⁰) Dollars for money
had and received by the Defendants ^{during July 1941}
for the use of the Plaintiff, which sum
of money is still due and unpaid

3

The Plaintiff claims of the Defendants
Seventy-seven (\$77⁰⁰) Dollars, due by the Defendants
to the Plaintiff, by account on to-wit: September
1st 1941 - Which sum of money with the
interest thereon is still due and
unpaid -

Beebe & Loe
Atty for Plaintiff.

APPEAL BOND.

THE STATE OF ALABAMA, } JUSTICE
Baldwin County. } ~~Circuit~~ Court, September Term, 1941.

KNOW ALL MEN BY THESE PRESENTS, That we M.D.Cox and Sullivan Sanks
and the undersigned

_____, are held and firmly bound unto the State
of Alabama, in the sum of one hundred and ~~sixty seven and 10/100~~ ^{NO} 100 Dollars
for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, and
administrators, jointly and severally, firmly by these presents.

Witness our hands and seals, this the 30th day of September, 1941.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bound-
en M.D.Cox and Sullivan Sanks, was, on the 30th day of September, 1941
convicted in the County, of the offense cutting and removing pulpwood for
which they have not paid for

and by the judgment of said Court ~~sentence~~ Judgement for \$77.00 and
cost of court \$5.10

And, whereas, the said M.D.Cox and Sullivan Sanks
has this day prayed an appeal from said judgment to the Circuit Court of said County:

Now, if the said M.D.Cox and Sullivan Sanks shall appear at
the next term of the Circuit Court, and from term to term thereafter until discharged, and abide
by and perform whatever sentence may be adjudged in said Court against him, then the above ob-
ligation to be void, otherwise to remain in full force and effect.

Approved: October 4th 1941

J. M. Franklin
N.P. Ex-O.J.P. ~~County Clerk~~

Sullivan Sanks (L.S.)
M. D. Cox (L.S.)
V. K. Cook (L.S.)
J. M. Bryant (L.S.)

RECORDED

THE STATE OF ALABAMA

Baldwin County

COUNTY COURT

THE STATE

VS.

M.D.Cox and Sullivan Sanks

APPEAL BOND

Sureties.

Filed in the office of the Clerk of the
Circuit Court 7th day of

Oct, 1941.

R.S. Pugh, Clerk.

THE STATE OF ALABAMA, } No. 710 CIRCUIT COURT
Baldwin County } March Term

To Any Sheriff of the State of Alabama, Greeting:

You are hereby commanded, That of the goods and chattels, lands and tenements of
Mrs. Minnie Pratt, by Huber, Agent Plaintiff in the suit,
you cause to be made the sum of Fifteen & 70/100 Dollars,
costs of suit, created by said Plaintiff, for that, whereas, on the 26th day of
February 1942, the said Plaintiff recovered by the Judgment of the said Circuit Court
of said County, against Mrs. Minnie Pratt, By Huber, Agent, Plaintiff
Sullivan Sanks & M. D. Cox Defendant
to the suit, the sum of _____ Dollars,
besides Fifteen and 70/100 Dollars, costs of suit;
upon which Judgment an Execution has been issued and returned by the Sheriff, "No property found."

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

Witness my hand this 24th day of March 1943

-Clerk

CLERK'S FEES		\$	Cts	SHERIFF'S FEES		\$	Cts
For every Summons and complaint.....	\$1.25			For Levying an Attachment.....	\$3.00		
Each copy thereof.....	30			Entering and Returning Attachment.....	25		
Entering a Sheriff's Return.....	20	25		Summoning Garnishee.....	1.50	3	00
Docketing.....	25	20		Serving Summons on Writ.....	1.50		
Entering Apperance.....	20	40		Serving Notice Sci. Fa. Notice, etc.....	65		
Filing.....	10	50		Serving..... Subpoenas.....	65		
Every Order made in Court.....	30	25		Empanelling Jury.....	75		
Copy thereof.....	25	75		Entering and Returning Execution.....	25	25	
Every Trial with or without Jury.....	75	30		Collecting Costs Execution.....	1.50	1	50
Entering up Judgment or copy threof..	30	50		Executing a Writ of Pessionion.....	2.50		
Issuing Execution.....	50	25		Taking and Approving Bonds.....	1.00		
Docketing Execution.....	25	20		Commissions.....			
Entering Return on Execution.....	20	30		Sheriff's Commission for Property			
Issuing Subpoenas.....	30	25		Sold Under Attachment.....			
Administering Oath.....	25			Seizing Personal Property on Writ			
Issuing Each Attachment Taking Bond	1.00			of Detinue.....	3.00		
Filing Attachment.....	10					4	75
Each Summons for Garnishee.....	50						
Each copy.....	50						
Notice to Deft. in Garnishee on Sum-							
mons and Copy, per 100 words.....	20						
Commissions to take Depositions or							
copy.....	75						
Order to Execute Writ of Inquiry.....	30						
Copy of Interrogators, 15c per hundred							
words or.....	50						
Filing each Deposition and endorsing							
same.....	20						
Final Record, per hundred words.....	15	2	00				
Every Certificate.....	50						
Taking Bond not otherwise provided							
for.....	75						
Witness Certificate.....	25						
Continuance.....	10						
Certificate of Judgment.....	50						
Order of Publication.....	1.00						
		5	85				
						15	70

~~CR~~ ~~12~~ ~~PO~~ 4-6-43
PO 64-

THE STATE OF ALABAMA,
Baldwin County.

By virtue of the within execution, I have at

o'clock, M., this day of 194 levied

Returned this 6th day of April 1943 by collecting, Twenty one dollars and 60/100 (\$21.60) from F. Huber, Agent for Mrs. Minnie Bratt the Plaintiff. I turned over to R. S. Duck, Clerk of the Circuit Court the following amount: Clerks fee \$5.85, Justice fees \$2.10 and Trial Tax \$3.00. I also paid the Baldwin Times \$5.90 their cost for ~~XXXXXX~~ Advertising. The balance \$4.75 I retained as sheriff's fees.

Sheriff's Fee	\$4.75
Trial Tax	\$3.00
Justice Fee	\$2.10
Clerks Fee	\$5.85
Advertising	5.90
Total	\$21.60

W. R. Stuart
Sheriff of Baldwin County

Sheriff

COLLECTION COSTS FROM

The State of Alabama, }
BALDWIN COUNTY

Agent I hereby certify that the within and costs in this case are correct, and there was waiver of exemption as to personal property under the Constitution and Laws of Alabama.

This 24 day of Mar 1943

R. S. Duck Clerk.
By Alice J. Duck

Received in office

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Sheriff

Sheriff's Execution Docket, Page

Sheriff's Fee Book, Page

No. 710 Page

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

Mrs Minnie Pratt, By Huber,

Plaintiff

vs.

Sullivan Sanks and M. D. Cox

Defendant

Civil Execution for Costs
Against Plaintiff

Costs \$ 15.70

Civil Fee Book Page

Execution Docket Page

Filed 194

Clerk.

H. M. Hall

Plaintiff's Attorney

Defendant's Attorney