

765

THE STATE OF ALABAMA, }

~~Montgomery~~ County.

To any Sheriff of the State of Alabama—GREETING:

You are hereby Commanded to summon

L. W. LACEY

~~Baldwin~~
to appear before the Circuit Court of ~~Montgomery~~ County, in and for said County, at the place of holding the same, within thirty days from the service of this summons and complaint, then and there to demur or plead to the complaint of

THE JOHN DEERE PLOW COMPANY OF ST. LOUIS, a corporation

And you are hereby commanded to execute this process instanter and make return as required by law.

Witness my hand this 30 day of July July

1942

R. S. Dugan Clerk.

COMPLAINT

THE STATE OF ALABAMA, }

~~Baldwin~~
~~Montgomery~~ County.

In the Circuit Court of ~~Montgomery~~ County

Term, 193

THE JOHN DEERE PLOW COMPANY
OF ST. LOUIS, a corporation }

vs.

L. W. LACEY

Plaintiff

Defendant

1. The Plaintiff Claims of the Defendant the following described personal property, to-wit:

~~Defendant~~

One John Deere 7 ft. 24" tractor drawn power potato digger with continuous extension elevator and single roller truck; together with the value of the hire or use thereof from detention, viz.: July 14, 1942.

2. The plaintiff claims of the defendant the sum of One Hundred Sixty-five (\$165.00) Dollars due by promissory note made by him in favor of T. B. Smith dated June 1, 1938, payable June 1, 1939, with interest from date; and plaintiff avers that in and by said note the defendant agreed to pay a reasonable attorney's fee, and plaintiff claims Thirty-five (\$35.00) Dollars additional as such fee, and plaintiff further avers that in and by said note defendant waived all right of exemption as to personal property. Plaintiff further avers that said note was negotiated in due course to plaintiff and that plaintiff is the holder of said note in due course.

Plaintiff admits a credit of \$64.75 by payment on said note.

Two 3 Law
Attorneys for plaintiff

THE STATE OF ALABAMA,
Baldwin
Montgomery County.

To the Sheriff of Said County—GREETING:

The Plaintiff having given bond and made affidavit as required by law, you are hereby required to take the property mentioned in the complaint into your possession, unless the Defendant give bond, payable to the Plaintiff, with security in double value of the property, conditioned that if the Defendant is cast in the suit he will, within thirty days thereafter, deliver the property to the Plaintiff, and pay all costs and damages which may accrue from the detention thereof.

WITNESS my hand this day of A. D., 193

R. S. Ball, Jr.
Clerk Circuit Court Montgomery County.

RECORDED

No. 765	THE JOHN DEERE PLOW COMPANY OF ST. LOUIS, a corporation	vs.	L. W. LACEY	Baldwin Circuit Court of Montgomery County	Term, 193	SUMMONS AND COMPLAINT	Filed in office this 30 day of July A. D., 1942	<i>R. S. Ball, Jr.</i> Clerk.	Fred S. Ball, Jr. Plaintiff's Attorney.
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DIXIE PRINT—7098A

Received in office	day of 193	Sheriff.	Executed by serving	cop	of the within Summons and Complaint on Defendant this the day of 193	Sheriff.	Executed by serving a copy of the within Summons & Complaint on L. W. Lacey the defendant. The within described property not found. This 4th day of August 1942.	<i>W. B. Stewart</i> Sheriff Baldwin County	<i>B. F. Spencer</i> Deputy Sheriff
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BALL AND BALL
ATTORNEYS AND COUNSELLORS
FIRST NATIONAL BANK BUILDING
MONTGOMERY, ALA.

FRED S. BALL
FRED S. BALL, JR.
CHARLES A. BALL
RICHARD A. BALL

September 5, 1942

Clerk Circuit Court
Bay Minette, Alabama

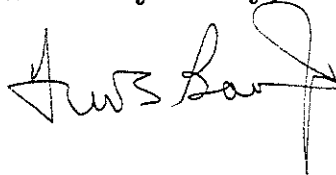
Dear Sir:

Re: John Deere Flow Company
vs. L. W. Lacey

Please have this case dismissed and send
us a bill for the court costs, and oblige.

Yours very truly,

Bjr:KBD

A handwritten signature in dark ink, appearing to read "Fred S. Ball, Jr.", with a stylized flourish at the end.

The State of Alabama

MONTGOMERY COUNTY

Know all Men by these Presents, That we The John Deere Plow Company of St. Louis,
a corporation, and undersigned surety,

are held and firmly bound unto L. W. Lacey

in the sum of One Hundred and no/100- - - (\$100.00)- - - - - Dollars.
to be paid to the said L. W. Lacey, his

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, and firmly, by these presents. Sealed
with our seals, and dated this day of in the year of our Lord, One Thousand Nine Hundred
and

The condition of the above obligations is such, That whereas the above bound The John Deere Plow
Company of St. Louis, a corporation
on the day of the date hereof, hath obtained at the suit of itself against L. W. Lacey

a Summons and Complaint for the recovery of personal chattels in specie against and asks an endorse-
ment by the Clerk of this Court "That the Sheriff is required to take the property mentioned in said complaint into his
possession," as required by law in such cases, which Summons and Complaint are returnable to the next term of the Cir-
cuit Court of Montgomery for said County and which said endorsement is made upon the Plaintiff entering into this
Bond.

Now, if the said Plaintiff shall fail in this suit, and shall pay the Defendant all such costs and damages as
may sustain by reason of the wrongful complaint in said case, then this obligation to be void, otherwise to remain in full
force and effect.

THE JOHN DEERE PLOW COMPANY (L. S.)
OF ST. LOUIS, a corporation

By (L. S.)
As its attorney

AMERICAN SURETY COMPANY OF NEW YORK, (L. S.)

By (L. S.)
as its attorney in fact

Approved this 30th day of

day of

July 1912
R. S. Lacey

Clerk.

The State of Alabama
Montgomery County

Myrd C. Story Notary Public
Before me, ~~John R. Matthews, Clerk of the Circuit Court of Montgomery County~~, in and for said ^{State and} County, personally
appeared Fred S. Ball, Jr. who being duly

sworn, depose and saith, That the property sued for in the complaint of The John Deere Plow
Company of St. Louis, a corporation, to-wit:

One John Deere 7 ft. 24" tractor drawn power potato digger with
continuous extension elevator and single roller truck.

belongs to The John Deere Plow Company of St. Louis, a corporation,
the said Plaintiff.

Sworn to and subscribed before me this

29th day of July 1942

Myrd C. Story
Clerk.

Notary Public, Montgomery County,
Alabama.

F. S. Ball Jr.

765-
RECORDED
DETINUE BOND AND
AFFIDAVIT

vs.

Circuit Court of Montgomery
County

Filed in office

30 day of July, 1942
Robert
Clerk.

765

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