

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 Frank Janik 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 Joe Novotny.

WITNESS my hand this 19 day of September, 1942.

R. S. Duck
Clerk.

C O M P L A I N T.

JOE NOVOTNY,

Plaintiff,

VS.

FRANK JANIK,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE.

BALDWIN COUNTY,

ALABAMA.

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

One black horse mule about ten years old named Mike, One brown horse mule about eleven years old named Bill, two Jersey mixed milk cows, ages about six and seven years, respectively, together with their increase, together with the value of the hire or use thereof during the detention, viz, from to-wit, January 1, 1941.

Hyatt & Sloan
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.

SUMMONS AND COMPLAINT.

JOE NOVOTNY,

Plaintiff,

VS.

FRANK JANIK,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

FILED SEPTEMBER 14, 1942.

R. S. Duck
Clerk.

LAW OFFICES
HYBART & CHASON
BAY MINETTE, ALABAMA

Executed 9-26 1942

by serving copy of within Summons and Complaint on Frank Janik the defendant and to being into my possession the within described property, one brown stone milk, two Jersey milk cows,

W. R. Stuart Sheriff
By B. F. Kucera Deputy Sheriff

STATE OF ALABAMA,

BALDWIN COUNTY.

REPLEVIN BOND OF PLAINTIFF IN DETINUE.

KNOW ALL MEN BY THESE PRESENTS: That Joe Novotny as principal and the undersigned as sureties are held and firmly bound unto Frank Janik, the Defendant in that certain cause now pending in the Circuit Court of Baldwin County, Alabama, wherein Joe Novotny is Plaintiff and Frank Janik is Defendant, in the sum of Three Hundred Dollars (\$300.00) 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.

SEALED with our seals and dated this ____ day of October, 1942.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH: That whereas, the above named Joe Novotny commenced an action of detinue against Frank Janik as Defendant, by having a writ of detinue issued out of the Circuit Court of Baldwin County, Alabama, on September 19, 1942, by which, together with endorsement thereon, any Sheriff of the State of Alabama, was commanded to take into his possession the following described personal property, viz:-

One black horse mule about 10 years old
named Mike; One brown horse mule about
11 years old named Bill; Two Jersey mix-
ed milk cows ages 6 and 7 years respective-
ly, together with their increase

which said writ was on the 19th day of September, 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 on the 26th day of September, 1942, according to its mandates by taking into his possession the following described personal property, viz:-

One brown horse mule; Two Jersey mixed
milk cows

And whereas, the said Frank Janik, the Defendant in said suit, has failed and neglected for a period of five 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 Joe Novotny shall deliver the property levied on as above described to the said Frank Janik, defendant in said suit, within thirty days after judgment together with damage for the detention of said property and costs of court in case he 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 under the Constitution and laws of the State of Alabama, and we hereby separately certify that we have property free from all liens and encumbrances to the full amount of this bond.

Taken and approved this 30
day of October, 1942.

W. R. Stuart
Sheriff of Baldwin County,
Alabama.

J. Novotny SEAL.
J. N. Dystnicka SEAL.
Amos Garrett SEAL.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, John Gasan, a Notary Public in
and for said State and County, personally appeared Ben Kucerza,
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 Ben Kucerza; that he is over the
age of twenty-one years and is a resident of Baldwin County, Ala-
bama, residing at Bay Minette; that he is personally acquainted
with Frank Janik who resides near Silverhill in Baldwin County,
Alabama; that the said Frank Janik is the defendant in that cer-
tain cause now pending in the Circuit Court of Baldwin County,
Alabama, in which Joe Novotny is plaintiff, said cause being file
#117; that the said Frank Janik was not at the time of the filing
of the Complaint in said cause, or at the time of service thereon,
or 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.

B. J. Kucerza

Sworn to and subscribed
before me, a Notary Public,
whose seal is hereto affix-
ed this 7 day of November,

1942.

John Gasan
Notary Public, Baldwin County,
Alabama.

JOE NOVOTNY,

Plaintiff,

VS.

FRANK JANIK,

Defendant.

IN THE CIRCUIT COURT - LAW SIDE.

BALDWIN COUNTY,

ALABAMA.

A F F I D A V I T.

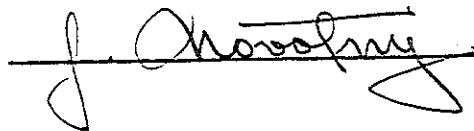
STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, Thomas Vonashek, a Notary Public, in and for said County in said State, personally appeared Joe Novotny 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 Plaintiff in the above styled cause; that the following property, to-wit:-

One black horse mule about ten years old named Mike, one brown horse mule about eleven years old named Bill, two Jersey mixed milk cows, ages about six and seven years, respectively, together with their increase,

for the recovery of which he has instituted suit this day in the Circuit Court of Baldwin County, Alabama, is his property.



Subscribed and sworn to before, this 19 day of September, 1942.

Thomas Vonashek
Notary Public, Baldwin County,
Alabama.

STATE OF ALABAMA,

BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: That Joe Novotny as Principal and the undersigned sureties, are held and firmly bound unto Frank Janik, 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, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seal and dated this 19 day of September, 1942.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH: that whereas, the above bound Joe Novotny 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 Frank Janik for the recovery of the following described personal property, viz:-

One black horse mule about ten years old named Mike, one brown horse mule about eleven years old named Bill, two Jersey mixed milk cows, ages about six and seven years, respectively, together with their increase.

Now if the said Joe Novotny shall fail in said suit and shall pay to the said Frank Janik, 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.

J. Novotny SEAL.
J. W. Bystrick SEAL.
James H. Janicek SEAL.

Taken and approved this
the 19 day of September,
1942.

R. S. Luck
Clerk of the Circuit
Court of Baldwin County,
Alabama.

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AFFIDAVIT AND BOND.

JOE NOVOTNY,
Plaintiff,

VS.

FRANK JANIK,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

FILED SEPTEMBER 19, 1942.

R. S. Shuck
Clerk.

LAW OFFICES
HYBART & CHASON
BAY MINETTE, ALABAMA

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