

D. J. RACKLEY,

PLAINTIFF,

VS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

ANTON BLAHO,

DEFENDANT.

AT LAW.

NO. 779

And now comes the Defendant and for answer to the Plaintiff's complaint, says:

1. That he is not guilty.
2. That the facts therein alleged are untrue.
3. That at the time the said action was commenced, the Plaintiff

was indebted to the Defendant in the sum of ONE THOUSAND (\$1000.00) DOLLARS, which the Defendant claims of the Plaintiff as damages for that on the date and at the time and place specified in the Complaint, the Plaintiff unlawfully and intentionally committed an assault and battery on the Defendant and as a proximate result thereof, the Defendant's jaw was broken; he was caused to suffer great physical pain and mental anguish; he was permanently injured; he incurred doctor and medical bills; all to the damage of the Defendant as aforesaid;

Wherefore, the Defendant pleads his damages as aforesaid in recoupment against the claim of the Plaintiff and prays judgment against the Plaintiff in the sum aforesaid.

4. That at the time this action was commenced, the Plaintiff was indebted to the Defendant in the sum of ONE THOUSAND (\$1000.00) DOLLARS, which the Defendant sets out in recoupment against the claim of the Plaintiff and prays judgment for said amount for that at the said time and place alleged in the complaint, the Plaintiff unlawfully struck the Defendant, and as a proximate result thereof the Defendant's jaw was broken; he was caused to suffer great physical pain and mental anguish; he was permanently injured; he incurred doctor and medical bills; all to the damage of the Plaintiff as aforesaid.

BEDEE & HALL

BY: Shirley

Attorneys for the Defendant.

779

RECORDED

D. J. RACKLEY, PLAINTIFF,

VS.

ANFON BIAHO, DEFENDANT.

AMSTER

2nd Oct 14/1942  
D. J. Rackley

D. J. RACKLEY,                    |    IN THE CIRCUIT COURT OF  
                                     |     
                                     |    PLAINTIFF,                    |  
                                     |    BALDWIN COUNTY, ALABAMA.  
                                     |     
                                     |    VS.                               |  
                                     |     
ANTON BLAHO,                    |    AT LAW                    NO. \_\_\_\_\_  
                                     |     
                                     |    DEFENDANT.                    |

COUNT ONE

The plaintiff claims of the defendant the sum of Five Hundred and No/100 Dollars (\$500.00) damages, for that, heretofore on, to-wit, the 15th day of July, 1942, the defendant, Anton Blaho, so negligently operated a motor vehicle on and along Alabama Highway No. 104, a public highway, in Baldwin County, Alabama, approximately one-half mile south of Spanish Fort, as to run said motor vehicle into, upon or against the automobile of the plaintiff, D. J. Rackley, which was being then and there operated by the said plaintiff on said highway, as a proximate result of which negligence the plaintiff's said automobile was damaged as follows:

The frame was bent and the body sprung; a rear fender and gas tank were bent; the trunk on the rear of said automobile was badly damaged; and the shackle and springs were broken and said automobile was otherwise damaged.

  
ATTORNEY FOR PLAINTIFF

Plaintiff demands a trial by jury.

  
ATTORNEY FOR PLAINTIFF

be the first  
paid for the  
dependent on  
his pen of  
recompense  
and just at  
last

\$500.00

Paul M. McMillan  
Zion

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, {

BALDWIN COUNTY

No. 779.

CIRCUIT COURT BALDWIN COUNTY

Sept.

TERM, 194 2

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Anton Blaho.

to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Anton Blaho.

, Defendant

by D J Rackley.

Plaintiff

Witness my hand this 22 day of September. 194 2

*R S Rackley*

Clerk.

No. 779.

Page

THE STATE OF ALABAMA  
BALDWIN COUNTY  
CIRCUIT COURT

D. J. Rackley.

Plaintiffs

vs.

Anton Blaho.

Defendants

SUMMONS AND COMPLAINT

Filed Sept. 22 1942

R S Dyck. Clerk

Dan T McCall, Jr.

Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co., Bay Minette, Ala.

Defendant lives at

RECEIVED IN OFFICE

Sept 22 1942

W B Stuart Sheriff

I have executed this summons

this Sept 22nd 1942  
by leaving a copy with

Anton Blaho

The Defendant

W B Stuart Sheriff  
B F Mena Deputy Sheriff

DAN T. MCCALL, JR.

LAWYER

FIRST NATIONAL BANK ANNEX

MOBILE, ALABAMA

March 1, 1943

Mr. R. S. Duck, Clerk,  
Circuit Court,  
Bay Minette, Alabama.

Dear Mr. Duck:

On September 21, I mailed you a complaint in the case of D. J. Rackley vs Anton Blaho. Soon after this, Rackley was transferred by the Maritime Commission to Houston, Texas. I have tried several times by letter to communicate with him at the address which he left with me, and, also, at his place of employment. My letters have been returned unclaimed. Recently, I took a position with the Office of Price Administration as Rationing Attorney which requires all of my time. In view of this, and in view of the fact that my client has not written me, and apparently gave me the wrong address, I do not feel that I can continue to represent him.

Will you be good enough to request Judge Hare to enter an order permitting me to withdraw my appearance as the attorney for the plaintiff? I do not want an Order of Dismissal for Want of Prosecution or Judgment by Default on the Cross Complaint entered while my name appears as attorney of record.

Thank you for your favor and with best wishes, I am

Sincerely yours,

  
Dan T. McCall, Jr.

DTMcCJr.:mdc.

CIRCUIT COURT

April.

Term, 1943.....

County.

You are Hereby Commaned, That of the goods and chattels, lands and tenements of  
D. J. RACKLEY. Plaintiff. ~~X Defendant~~  
you cause to be made the sum of Five Hundred and no/100 DOLLARS,  
which Anton Blaho. Defendant. ~~X Plaintiff~~  
recovered of him.  
on the 13th day of April, 1943, by the Judgment of our Circuit Court held for the County of  
besides the sum of 17 10/100 Dollars  
costs of suit, and have the same to render to the said Anton Blaho, and make return of this Writ and  
the execution thereof, according to law.  
Interest from 4/13/43, 19, to date of Collection, 19.  
Witness my hand this 25th day of May, 1943.

Witness, my hand this 25th day of May, 1943.

Witness, my hand this.....25th.....day of.....May.

Respectfully,  
Clerk.

CLERK'S FEES		Amount	SHERIFF'S FEES		Amount
Issuing ..... Summons and Complaint.....	\$1.25	1 25	Serving and Returning..... Summons.....	\$1.50	1 50.
Issuing ..... copies of same.....	.30	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	20	Entering and Returning..... Attachment.....	.25	
Docketing Cause.....	.25	25	Summoning and Returning..... Garnishee.....	1.50	
Entering..... Appearances.....	.20	40	Serving & Returning..... Sci. Fas..... Notices.....	1.50	
Filing ..... Pleas ..... Demurrers.....	.10	30	Impaneling Jury.....	.75	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	75	Collecting Money on Execution.....		
Entering..... Judgment.....	.30	30	Writ of Restriction.....	2.00	
Issuing Execution.....	.50	50	Sheriff's Commissions.....		
Entering..... Sheriff's Return of Execution.....	.20	20	Sheriff's Deed.....		
Issuing..... Certiorari..... Sci. Fas.....	.75		Seizing Personal Property in Detinue.....	3.00	
Filing..... Certiorari; etc.....	.15				
Issuing..... Notices.....	.75		Former Sheriff's Fees.....		
Issuing..... copies of same.....	.50		TOTAL SHERIFF'S FEES.....	2 25	
Taking..... Bonds.....	.75		WAIVER..... NO WAIVER..... X.....		
Filing..... Bonds.....	.10		Recapitulation.....		
Issuing..... Attachment Writ..... & taking Bond.....	1.00		Judgment for..... Deft..... for.....	500.00	
Filing..... Attachments.....	.10		Interest from.....		
..... Summons of Garnishee.....	.50		Damages.....		
Swearing and Ent..... Answer of Garnishee.....			Clerk's Fees.....	6 95	
Complete Record, 15c per 100 words.....		2 00	Sheriff's Fees.....	2 25	
Transcript to Supreme Court.....			Justice of Peace Fees.....		
Certificate of Appeal to Supreme Court.....	.75		Witness Fees in Justice of Peace Court.....		
..... Notices of Appeal.....	.75		Constable's Fees.....		
..... Appeal Bond.....	.75		Commissioner's Fees.....		
Certificate of Judgment.....	.50	50	Commissioner's Residence.....		
..... Witness Certificates.....	.25		Printer's Fees.....		
			Garnishee's Fees.....		
			Witness Fees in Circuit Court.....		
			Former Clerk's Fees..... Steno Fee.....	5 00	
			Trial Tax.....	33 000	
TOTAL CLERK'S FEES.....		6 95	TOTAL FEES.....	507 1 0	
				517 10	



**The State of Alabama,**  
Baldwin. COUNTY.

CIRCUIT COURT

D J RACKLEY.

Plaintiff

vs

ANTON BLAHO.

Defendant

**CIVIL EXECUTION FOR COSTS  
AGAINST DEFENDANT.....**

Judgment for DEBIT, ..... for \$500.00.

Interest from....., 19.....,

to 1919, \$

**Damages** ..... \$

Costs	\$	17 10.
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Total	\$ 517.10
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Civil Fee Book.....	Page.....
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Execution	Docket	Page
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Filed May 25th 1943

Robert Clerk

None.

Plaintiff's Attorney

Beebe & Hall.

**Defendant's Attorney**

COLLECT COST FROM

**DEFENDANT XXX,**  
Plaintiff.

**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

565

W. B. Swanwick

..... Sheriff

Sheriff's Execution Docket, page

Sheriff's Fee Book, page .....

~~Returned his property of  
D.J. Rac & Leg, found in  
my carport. His 2 of the stamp  
of July 1943.  
W.R. Stewart, Director  
for [illegible] Co.~~

Printed by The Baldwin Times