

1073

STATE OF ALABAMA
BALDWIN COUNTY

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ALEX HAMPSHIRE 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 the same, then and there to answer the Complaint of KATIE BENJAMIN.

Witness my hand this 8th day of July, 1947.

Alice J. Leach
Clerk.

COMPLAINT

KATIE BENJAMIN,)	
Plaintiff,)	IN THE CIRCUIT COURT OF
-VS-)	BALDWIN COUNTY, ALABAMA,
ALEX HAMPSHIRE,)	LAW SIDE.
Defendant.)	

The Plaintiff claims of the Defendant the following personal property, to-wit: (One Bay Mare Horse with dark legs about six years old, weight about 700 pounds, named Weeping Willow and one Blazed Face Mare Colt, age about one year, weight about 300 pounds, named Lilly,) together with the value of the hire or use thereof during the detention, to-wit: since June 15, 1947.

Hybart & Pearson
Attorneys for Plaintiff

The Plaintiff demands a trial of this cause by a jury.

Hybart & Pearson
Attorneys for Plaintiff.

Received in Sheriff's Office
this 9 day of July, 1947
TAYLOR WILKINS, Sheriff

RECORDED

1073

SUMMONS AND COMPLAINT

KATIE BENJAMIN,

Plaintiff,

-VS-

ALEX HAMPSHIRE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

LAW SIDE.

Filed July 8, 1947

Alice J. Welch
Clerk.

To the Sheriff of said County:

Whereas, the Plaintiff in the within stated cause has made affidavit and given bond as required by law you are hereby required to take the property mentioned in Complaint into your possession unless the Defendant gives bond payable to the Plaintiff with sufficient surety in double the amount of the value of the property, 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.

Alice J. Welch
Clerk.

Executed 7-12-47 By serving
copy of the within summons
& complaint on Alex Hampshire
and taking into our possession
the within described personal
property.

Taylor Wilkins Sheriff
47 Hall P. 5

The the Jury find in favor of
the Plaintiff and award the
value of the mare at \$50 &
value of cart at \$25.00 no rental fee.

J. M. Long
Sherman

KATIE BENJAMIN,

Plaintiff,

-VS-

ALEX HAMPSHIRE,

Defendant.

)
) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA,
)
) LAW SIDE.
)

Comes the Plaintiff in the above styled cause and demurs separately and severally to pleas 1 and 2 filed by the Defendant in said cause and assigns the following separate and several grounds, viz:-

ONE:

That said pleas present no defense to this cause of action.

TWO:

That said pleas are immaterial pleas.

HYBART & CHASON

BY:


Attorneys for Plaintiff.

RECORDED

DEMURRER TO PLEAS

KATIE BENJAMIN,

Plaintiff,

-VS-

ALEX HAMPSHIRE,

Defendant.

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

Filed October 1, 1947.

Alice J. Neube
Register.

KATIE BENJAMIN

PLAINTIFF

VS

ALEX HAMPSHIRE

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

Now comes the Defendant and for answer to the Plaintiff's complaint

says:

1.

He denies the allegations that he has possession of the property described in the Bill of Complaint, to-wit:

One Bay Mare Horse with dark legs about six years old, weight about 700 pounds, named Weeping Willow and One Blazed Face Mare Colt, age about one year, weight about 300 pounds, named Lilly.

2.

The Defendant for further answer to the Plaintiff's complaint says that he has in his possession and is the owner of One Bay Mare Horse with dark legs seven years old, weight about 700 pounds, named Ribbon.

John S. Sall
Solicitor for the Defendant

RECORDED

KATIE BENJAMIN

PLAINTIFF

VS

ALEX HAMPSHIRE

DEFENDANT

ANSWER

FILED

AUG 18 1947

ALICE A. DUCK, *clerk*

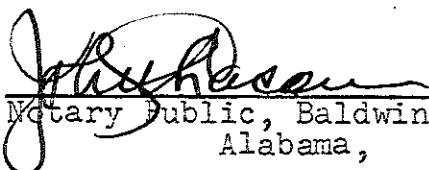
STATE OF ALABAMA

BALDWIN COUNTY

Before me, John Chason, a Notary Public, in and for said State and County personally appeared Katie Benjamin, 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 she is the owner of the following described personal property viz:- One Bay Mare Horse with dark legs, about six years old, weight about 700 pounds, named Weeping Willow and one Blazed Face Mare Colt, age about one year, weight about 300 pounds, named Lilly, for the recovery of which said property she has this day filed suit in the Circuit Court of Baldwin County, Alabama, in which said suit Alex Hampshire is the Defendant.

Sworn to and subscribed
before me this 8th day
of July, 1947.


Notary Public, Baldwin County,
Alabama,

Rev
~~Katie Benjamin~~
Mark

RECORDED

AFFIDAVIT

KATIE BENJAMIN,

Plaintiff,

-vs-

ALEX HAMPSHIRE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

LAW SIDE.

Filed July 8, 1947.

Alvin J. Smith
Clerk.

The State of Alabama, {
Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, _____

Alex Hampshire

and _____

are held and firmly bound unto Katie Benjamin

in the sum of Two Hundred Dollars, for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated this 14 day of July 1947

The condition of the above obligation is such that whereas the said _____

Katie Benjamin did, on the 8 day of July 1947 sue out of the Circuit Court of Baldwin County a writ of detinue directed to any Sheriff of said State and commanding him to take into his possession the following property, to-wit: One Bay Mare Horse with dark legs about 6 years old weight about 700 Pounds named Weeping Willow and one Bayed face mare colt age about one year weight about 300 pounds named Lilly

which said writ was placed in the hands of Taylor Wilkins, Sheriff of Baldwin County, Alabama, on the 9th day of July, 1947, and executed by him on the 12 day of July, 1947 by taking into his possession the following property, to-wit:

And whereas the above bound _____

Defendant in said suit, has, within five days from the execution of said writ, entered into and executed this bond as required by law and thereby obtained possession of said property seized under this writ.

Now if the said _____ is cast in said suit and within thirty days after judgment deliver the property aforesaid to the Plaintiff and pay all costs and damages which may accrue from the detention thereof, then this obligation to be void, otherwise to remain in full force and effect.

Wm. A. Hampshire (SEAL)

Lehaan Earle (SEAL)

Frank Earle (SEAL)

Taken and approved this 14 day of July 1947

Taylor Wilkins
 Sheriff, Baldwin County, Ala.

May 14 7 1447

RECORDED

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Circuit Court, Baldwin County

REPLEVY BOND
OF DEFENDANT

VS.

Taken and approved this

day of _____, 193—

The property described in
this bond has not been surrendered
12-28-48
Raymond W. Johnson
Shirley

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS: that we Katie Benjamin as principal and the undersigned as sureties held and firmly bound unto Alex Hampshire, 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 heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 8th day of July, 1947.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above bounden Katie Benjamin has on the 8th day of July, 1947, 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, against the said Alex Hampshire for the recovery of the following described personal property, to-wit:- One Bay Mare Horse with dark legs, about six years old, weight 700 pounds, named Weeping Willow and one Blazed Face Mare Colt, age about one year, weight about 300 pounds, named Lilly; Now, if the said Katie Benjamin shall fail in said suit and shall pay to the said Alex Hampshire, the Defendant in said suit, all such costs and damages as he may sustain by the wrongful suing out of said Suit of Detinue, then this obligation to be void, otherwise to remain in full force and effect.

Witness her Maels
John R. Rasmussen
C. M. Coghlan

Katie Benjamin SEAL
C. M. Coghlan SEAL
SEAL.

Taken and approved this 8th day of July, 1947.

Alice L. Rasmussen
Clerk of the Circuit Court of
Baldwin County, Alabama.

1073

RECORDED

BOND

KATIE BENJAMIN,

Plaintiff,

-VS-

ALEX HAMPSHIRE,

Defendant.

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

Filed July 8, 1947

W. L. L. L. L.
Clerk.

1. Mr. Charles Clark
2. Mr. Nathaniel Culpeper
3. Mr. Ben Wiley
4. Mr. Luke Weaver
5. Mr. Abraham French
6. Mr. William Knight
7. Mr. Willie Weaver
8. Mr. Frank Tarrin

9. Rev. J. B. Weaver
 303 N. Second St.
 The man I bought
 the horse from.

Rev. Wharrior in Mobile

