

FLORENCE RIDER

PLAINTIFF

VS

HERCULES MITCHELL


DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 1153

Now comes the Defendant, and without waiving his motion heretofore filed to quash or dismiss the attachment issued in this cause, and for answer to the Plaintiff's complaint says that the facts therein alleged are untrue.


Attorney for the Defendant

115-3 RECORDED

FLORENCE RIDER

PLAINTIFF

VS

HERCULES MITCHELL

DEFENDANT

ANSWER

FILED

APR 2 1948

ALICE J. DUCK, Clerk

FLORENCE RIDER

PLAINTIFF

VS

HERCULES MITCHELL, doing
business as Echo Cafe

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
AT LAW
NO. 1153

Comes the Defendant, Hercules Mitchell, and prays the judgment of the court that the attachment heretofore issued and executed in the above styled cause be quashed because he sayd that:

1.

There is no affidavit, as required by law authorizing the issuance of the attachment.

2/

That the facts alleged as grounds for the attachment are not true;

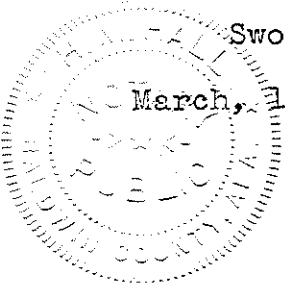
And this the defendant is ready to verify.

WHEREFORE he prays judgment that the said attachment be quashed.

Hercules Mitchell

Sworn to and subscribed before me on this the 22 day of
March, 1948.

Wm Lee
Notary Public, Baldwin County, Ala.



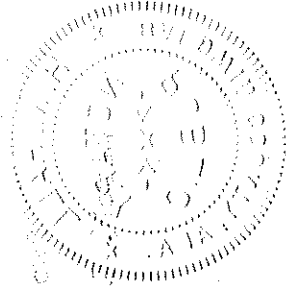
1. The first part of the document is a letter from the
 2. The second part is a report on the progress of the work
 3. The third part is a list of the names of the persons who
 4. The fourth part is a list of the names of the persons who
 5. The fifth part is a list of the names of the persons who

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 The second part is a report on the progress of the work
 The third part is a list of the names of the persons who
 The fourth part is a list of the names of the persons who
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Answer

RECORDED

The first part of the document is a letter from the
 The second part is a report on the progress of the work
 The third part is a list of the names of the persons who
 The fourth part is a list of the names of the persons who
 The fifth part is a list of the names of the persons who



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 The fourth part is a list of the names of the persons who
 The fifth part is a list of the names of the persons who

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No.-----

-----TERM, 194---

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Hercules Mitchell

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-----

Hercules Mitchell-----, Defendant----

by Florence Rider-----

-----, Plaintiff----

Witness my hand this 10th day of March 1948

Alice J. Duck-----, Clerk.

FLORENCE RIDER,

Plaintiff,

VS.

HERCULES MITCHELL, Doing
Business as ECHO CAFE,

Defendant.

NO. _____.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

COUNT ONE.

The Plaintiff claims of the Defendant TWO HUNDRED (\$200.00) DOLLARS FOR work and labor done for the defendant by the plaintiff between November 1, 1947, and December 15, 1947, at his request; which sum of money, together with the interest thereon is still due and unpaid.

Jelfair A. Mashburn Jr.
Attorney for the Plaintiff.

We the jury find for the plaintiff on count no. 1
and award plaintiff \$20.00 plus 6% interest.
Chas. Mason
Treas.

NO. 115-3

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

FLORENCE RIDER,
Plaintiff,

VS.

HERCULES MITCHELL, Doing
Business as ECHO CAFE,
Defendant.

COMPLAINT.

FILED
MAR 10 1948
ALICE J. DUCK, Clerk

TELFAIR J. MASHBURN, Jr.
LAWYER
Bay Minette, Alabama

Received in Sheriff's Office
this 10 day of March, 1948
TAYLOR WILKINS, Sheriff

By Taylor Wilkins Sheriff
Deputy Sheriff
copy
down business as Echo
Hercules Mitchell
Exchanged 15 day March 1948
by 5 copy of within Summons and
Complaint on

Received in Sheriff's Office
this 10 day of March, 1948
TAYLOR WILKINS, Sheriff

ATTACHMENT.

The State of Alabama,
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, FLORENCE RIDER

hath complained on oath to me, ALICE J. DUCK, Clerk of Circuit Court of Baldwin County, Ala.,
that HERCULES MITCHELL, Doing Business as ECHO CA FE

is justly indebted to the Plaintiff FLORENCE RIDER

in the sum of TWO HUNDRED (\$200.00) Dollars, and

FLORENCE RIDER having made affidavit and given bond
as required by law, in such cases, you are hereby commanded to attach so much of the estate of

HERCULES MITCHELL

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such estate, so
attached unless replevied, so to secure, that the same may be liable to further proceedings thereon to be
had by the Circuit Court of Baldwin County, Ala., at a term thereof, to be held at the Court House of said
County, on 30 days from date ~~Monday~~ 193

next; when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 10th day of March A. D. 19348

Alice J. Duck Clerk.

RECORDED

Received in Sheriff's Office
this 10 day of Mar, 1948
TAYLOR WILKINS, Sheriff

Executed By taking into
my Possession the Echo
Cafe Operated By Hercules
Mitchell 3/15/48
Taylor Wilkins Sheriff
Zellie B. Griffin D.S.

RECORDED
No. 1153

ATTACHMENT

FLORENCE RIDER

vs. { ATTACHMENT

HERCULES MITCHELL

Issued 3-10-48, 193

MOORE PRINTING CO.,

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, THAT we HERCULES MITCHELL as principal and the undersigned as sureties are held and firmly bound unto Florence Rider in the sum of FOUR HUNDRED (\$400.00) DOLLARS for the payment of which well and truly to be made we, jointly and severally, bind ourselves, our heirs, executors, administrators.

Sealed with our seals and dated this the 29 day of March, 1948.

The condition of the above obligation is such, that, whereas, a writ of attachment issued by Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, at the instant of Florence Rider against the estate of Hercules Mitchell doing business as Echo Cafe returnable to the Circuit Court of Baldwin County, Alabama, as required by law for the sum of \$200.00 has been placed in the hands of Taylor Wilkins Sheriff of Baldwin County, Alabama, and by him levied upon the following described property, to-wit:

The Echo Cafe, operated by Hercules Mitchell;

And Whereas, the said property has been delivered to the said Hercules Mitchell on his executing this bond.

Now, therefore, if the said Hercules Mitchell, shall fail in said action he or his sureties shall return the specific property attached as aforesaid to the Sheriff of Baldwin County, Alabama, within thirty days after judgment in said suit then this obligation to be void otherwise to remain in full force and effect.

Witness our hands and seals this the _____ day of March, 1948.

Hercules Mitchell (SEAL)

Mamie B. Caton (SEAL)

Philip Papas (SEAL)

Taken and approved this the 29 day of March, 1948.

Taylor Wilkins
Sheriff

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Boned

Filed
3-30-48
Alice Much
Clerk

THE STATE OF ALABAMA {
Baldwin County

1153

CIRCUIT COURT AT BAY MINETTE, ALA.

KNOW ALL MEN BY THESE PRESENTS, That We, FLORENCE RIDER

....., of the County of Baldwin and STATE OF ALABAMA

are held and firmly bound unto HERCULES MITCHELL

in the sum of FOUR HUNDRED (\$400.00)-----Dollars, to

be paid to the said HERCULES MITCHELL

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, firmly by these presents.

Sealed with our seals and dated the-----day of March, 1948.

The Condition of this Obligation is such:

That whereas, the above bounden FLORENCE RIDER

-----has, on the day of the date

hereof, prayed an Attachment at the suit of FLORENCE RIDER

-----against the estate of above named

HERCULES MITCHELL

for the sum of TWO HUNDRED (\$200.00)-----Dollars,
and hath obtained the same, returnable to the Circuit Court of Baldwin County:

Now, if the said FLORENCE RIDER

should prosecute said Attachment to effect, and pay the said Defendant all such damages as he
may sustain by the wrongful or vexatious suing out said Attachment, then the above obligation to be
void; otherwise to remain in full force and effect.

And we and each of us hereby waive all rights of claims of exemption we or either of us have now,
or may hereafter have, under the Constitution and Laws of the State of Alabama.

Signed, Sealed, and delivered the date above written.

Florence Rider (Seal)

Wm. E. Moore (Seal)

E. J. Davidson (Seal)

----- (Seal)

Approved, this 10th day of March, 1948

Miss J. Leach, Clerk

THE STATE OF ALABAMA }
Baldwin County

CIRCUIT COURT AT BAY MINETTE, ALABAMA

Before me, _____

in and for said County, personally appeared FLORENCE RIDER

who, being duly sworn, on oath saith that HERCULES MITCHELL, Doing Business as
ECHO CAFE, is justly indebted to

FLORENCE RIDERin the sum of TWO HUNDRED (\$200.00) Dollars,

which said amount is justly due after allowing all just offsets and discounts, and that the said _____

HERCULES MITCHELL has fraudulently disposed of his property

and that this Attachment is not sued out for the purpose of vexing or harassing the Defendant, or other improper motive.

Subscribed and sworn to before me this 28th day of March September 1948.

Florence Rider
J. A. Masliburn, Jr.
Notary Public, Baldwin County,
Alabama.

RECORDED

No. _____ Page _____

STATE OF ALABAMA
Baldwin County

CIRCUIT COURT
At Bay Minette, Ala.

FLORENCE RIDER

TO

HERCULES MITCHELL

ATTACHMENT BOND AND AFFIDAVIT

Filed this the 10th dayof March, 1948.

_____, Clerk

_____, Attorney

Florence Hmate
Plaintiff

^{vs}
Hercules Mitchell
Defendant

In the Circuit
Court of Madison
County, Alabama
at Law
115-3

Now Comes the defendant and
for answer to Plaintiff's Complaint
Says:

1. The facts therein alleged
are untrue

Hmate
Atty for Defendant

Defendant demands
a trial by jury

Hmate
Atty for Def

FLORENCE RIDER

PLAINTIFF

VS.

HERCULES MITCHELL, doing
business as Echo Cafe

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 1153

Comes the Defendant, Hercules Mitchell, and prays the judgment of the court that the attachment heretofore issued and executed in the above styled cause be quashed because he says that:

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2/

That the facts alleged as grounds for the attachment are not true;

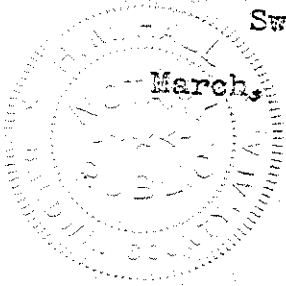
And this the defendant is ready to verify.

WHEREFORE he prays judgment that the said attachment be quashed.

Hercules Mitchell

Sworn to and subscribed before me on this the 27 day of
March, 1948.

J. H. M. See
Notary Public, Baldwin County, Ala.



THE STATE OF ALABAMA }
Baldwin County

CIRCUIT COURT AT BAY MINETTE, ALABAMA

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Baldwin County

CIRCUIT COURT
At Bay Minette, Ala.

FLORENCE RIDER

TO

HERCULES MITCHELL

ATTACHMENT BOND AND AFFIDAVIT

Filed this the 10th dayof March, 1948.

_____, Clerk

_____, Attorney

THE STATE OF ALABAMA {
Baldwin County

1153

CIRCUIT COURT AT BAY MINETTE, ALA.

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Florence Rider (Seal)

Wm. E. Moore (Seal)

E. J. Davidson (Seal)

----- (Seal)

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Miss J. Leach, Clerk

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PLAINTIFF

VS.

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