

876

JOHN A. RUSSELL,

Plaintiff,

VS.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

R. T. SORRELL,

Defendant.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

Whereas, John A. Russell has commenced suit by Summons and Complaint returnable to the Circuit Court of Baldwin County, Alabama, at the next term thereof against R. T. Sorrell as Defendant, for the sum of \$173.30, together with interest thereon, and has made Affidavit and given Bond as required by law.

THESE ARE THEREFORE TO COMEAND YOU, that you summon George Lindsey and Charles Campbell, individually and as partners operating and doing business as Fruitdale Lumber Company, to be and appear before said Circuit Court to be held for said County within thirty days from the service of this Writ, then and there to answer on oath, whether at the time of the service of the Garnishment, or at the time of making their answer, or at any time intervening between the time of serving the Garnishment and making their answer, they or either of them were indebted to the Defendant R. T. Sorrell, and whether they will be indebted in future to said Defendant by a contract then existing and whether by a contract then existing they will be liable to said Defendant for the delivery of personal property or for the payment of money which will be discharged by the delivery of personal property, or which is payable in personal property, and whether or not they have in their possession or under their control any money or effects belonging to said Defendant.

WITNESS my hand this 15 day of August, 1944.

R. D. Luck  
Clerk.

WRIT OF GARNISHMENT ON  
SUMMONS AND COMPLAINT.

JOHN A. RUSSELL,

Plaintiff,

VS.

(3)

R. T. SORRELL,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

LAW SIDE,

FILED AUGUST 12, 1944.

W. H. Russell  
Clerk.

LAW OFFICES  
HYBART & CHASON  
Bay Minette, Alabama

8-3-44

W. H. RUSSELL, Sheriff

By return of

August 13, 1944  
Day of August 1944  
Filed a copy of the within  
Writ of Garnishment in Baldwin County, Alabama  
at Bay Minette, Alabama  
this 13th day of August 1944  
W. H. Russell, Sheriff

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, John H. Mason, a Notary Public, in and for said State and County, personally appeared John A. Russell 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 John A. Russell; that he is the Plaintiff in that certain cause now pending in the Circuit Court of Baldwin County, Alabama, wherein R. T. Sorrell is Defendant; that the said R. T. Sorrell is justly indebted to the said John A. Russell in the sum of \$173.30, together with interest thereon, and that said suit was filed for the purpose of the collection of said indebtedness; that process of garnishment is believed to be necessary to obtain satisfaction thereof and that George Lindsey and Charles Campbell individually and as partners doing business as Fruitdale Lumber Company, the persons summoned as Garnishees, are believed to be chargeable as Garnishees in this cause.

Sworn to and subscribed before  
me, a Notary Public, whose seal  
is hereto affixed this 1<sup>st</sup> day  
of August, 1944.

John H. Mason  
Notary Public, Baldwin County,  
Alabama.

STATE OF ALABAMA,

BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: That John A. Russell as principal and the undersigned as Sureties are held and firmly bound unto R. T. Sorrell, his heirs, executors and administrators, in the sum of \$350.00 for the payment of which 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 this 1<sup>st</sup> day of August, 1944.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH: That whereas the above bound John A. Russell has commenced suit in the Circuit Court of Baldwin County, Alabama, by summons and Complaint which have issued from said court to recover of the said R. T. Sorrell the sum of \$173.30 with interest thereon, and that Writ of Garnishment is to be issued out of said court to George Lindsey and Charles Campbell, individually and as partners operating and doing business as Fruitdale Lumber Company, summoning them to appear within thirty days and file Answer upon oath whether at the time of the service of the Garnishment or at the time of making their answer, or at any time intervening between the time of serving the Garnishment and making the answer they were indebted to R. T. Sorrell, the defendant, and whether they will be indebted in future to him by a contract then existing and whether by a contract then existing they are liable to him for the delivery of personal property or for the payment of monies which may be discharged by the delivery of personal property, or which is payable in personal property and whether they have not in their possession or under their control monies or effects belonging to the defendant; and said Plaintiff having made oath as required by law in such cases, said writ is about to issue out of said court returnable to the next term thereof to be held for Baldwin County, Alabama.

Now, if the said Plaintiff shall prosecute the Garnishment to effect, and pay the Defendant all such damages as he may sustain from the wrongful or vexatious suing out of such Garnishment, then this obligation to be void, otherwise to remain in full force and effect.

And we, and each of us hereby waive all rights of exemption as to personal property and hereby certify that we have property free from all encumbrances to the full amount of the above bond.

John A. Russell SEAL  
C. W. Barnhill SEAL  
J. F. R. King SEAL

Taken and approved this  
1<sup>st</sup> day of August, 1944.

R. T. Sorrell  
Clerk of Circuit Court of  
Baldwin County, Alabama.

876

AFFIDAVIT.

AND

BOND.

JOHN A. RUSSELL,  
Plaintiff,

VS.

R. T. SORRELL,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

FILED AUGUST 12, 1944.

*Reed*  
Clerk.

LAW OFFICES  
HYBART & CHASON  
Bay Minette, Alabama

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 R. T. Sorrell 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 John A. Russell.

WITNESS my hand this 16 day of August, 1944.

Robert A. Russell  
Clerk.

JOHN A. RUSSELL,  
Complainant,  
VS.  
R. T. SORRELL,  
Defendant.

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

COUNT 1.

The Plaintiff claims of the Defendant \$173.30 due from him by account on to-wit, the 30th day of November, 1942.

COUNT 2.

The Plaintiff claims of the Defendant \$173.30 due from him on account stated between the Plaintiff and Defendant on to-wit, the 30th day of November, 1942.

COUNT 3.

The Plaintiff claims of the Defendant \$173.30 due from him for work and labor done for the Defendant by the Plaintiff on to-wit, from September 25, 1942 to November 30, 1942, at his request.

Which sum of monies or money together with interest thereon are still due and unpaid.

Mybair & Hanson  
Attorneys for Plaintiff.

A verified itemized statement of the account here sued on is attached hereto and made a part of this Complaint.

Mybair & Hanson  
Attorneys for Plaintiff.

Plaintiff demands a trial of this cause by a Jury.

ITEMIZED ACCOUNT OF MONIES DUE JOHN A.  
RUSSELL BY R. T. SORRELL.

September 25, 1942 through November 30, 1942

For logging and sawing 9,125 feet of timber  
@ \$20 per thousand \$182.50

October 23, 1942

For planing 1,316 feet of siding 8.19

October 23, 1942

For hauling 1,985 feet of lumber 5.00

November 24, 1942

For planing 688 feet of flooring 4.12

November 24, 1942

For planing 230 feet of 1 X 6 Lumber 1.38

November 24, 1942

For hauling 918 feet of lumber 2.12

November 24, 1942

For sale of 380 feet of flooring 11.40

November 24, 1942

For sale of 57 feet 2 X 8 Lumber 2.20

November 24, 1942

For sale of 175 feet of lumber 5.25

November 24, 1942

For sale of 144 feet of 2 X 6 Lumber 4.32

November 30, 1942

For sale of 460 lineal feet 1 X 6 Lumber 8.78

Sales Tax

.64

TOTAL

\$235.80

CREDIT:

November 3, 1942

Cash on account 30.00

November 3, 1942

Logs left on yard 1,068 feet 21.36

January 15, 1943

Cash received from lumber sold to J.C. McDavid 11.14

Total Credits

\$62.50

BALANCE DUE

\$173.30

STATE OF ALABAMA,

VERIFICATION OF ACCOUNT.

BALDWIN COUNTY.

B

Before me, John Shanon, a Notary Public, in and for said State and County, personally appeared John A. Russell 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 John A. Russell; that he is the Plaintiff in the above styled cause; that he is familiar with his books and accounts and that the foregoing itemized account with R. T. Sorrell is true and correct after allowing all just credits and offsets, and that the said sum of \$173.30 due by the said R. T. Sorrell together with interest thereon is still due and unpaid.

John A. Russell

Sworn to and subscribed before,  
me a Notary Public, this 1<sup>st</sup>

day of August, 1944.

John Shanon  
Notary Public, Baldwin County,  
Alabama.



875 1/2

SUMMONS AND COMPLAINT.

Executed Aug 2nd 1944  
by serving copy within summons and  
complaint on

R. T. Sorrell

W. R. Steward  
for B. B. Spencer  
Plaintiff  
Defendant

JOHN A. RUSSELL,  
Plaintiff,  
VS.

R. T. SORRELL,  
Defendant.

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

FILED AUGUST 1st, 1944.  
*R. B. Chason*  
Clerk.

LAW OFFICES  
HYBART & CHASON  
Bay Minette, Alabama

BALDWIN COUNTY

You are hereby commanded to summon the Fuel Oil Supply Company, a Corporation, 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 Ester E. Hinton.

Rehner

Circuit Clerk.

• • • • •

Plaintiff,

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

Defendant.

1. The Plaintiff claims of the Defendant the sum of Five Thousand Dollars (\$5,000.00) damages for that heretofore on to-wit, February 19, 1944, the Plaintiff was a passenger in an automobile being operated along and over the public highway in Baldwin County, Alabama, known as U. S. Highway Number 90, at a point approximately three miles northwest of Loxley, Alabama, where she had a right to be and while the said automobile in which she was riding was being driven along the said highway a motor truck and trailer of the Defendant which was being operated by its agent, servant or employee who was then and there acting within the line and scope of his negligently authority, /ran upon, over or against the automobile in which the Plaintiff was riding, causing great damage and injury to her. Her left shoulder was fractured, she was bruised and injured about her

face and body, she was made sick and sore and suffered great mental pain and anguish and caused to incur great expense for doctor bills, medicine and hospital expenses. Plaintiff further avers that all of her said injuries and damages were proximately caused by the negligence of the servant, agent or employee of the defendant then and there in charge of the said truck for the defendant and acting within the line and scope of his duty in the employment of the defendant in this that the said servant, agent or employee negligently operated the said automobile truck at the time and place of collision.

*J. T. Blackman*  
*Cars & Cars*

Attorneys for Plaintiff.

Plaintiff demands a trial of said cause by jury.

*J. T. Blackman*  
*Cars & Cars*

Attorneys for Plaintiff.

Executed Aug 7<sup>th</sup> 1944  
Serving copy of within Summons and  
complaint on

J. W. Smith as  
Mgr of Fuel Oil  
Supply Company a  
Corporation  
vs.  
O. H. Greene

876

SUMMONS AND COMPLAINT

ESTER E. HINTON,

Plaintiff,

VS.

FUEL OIL SUPPLY COMPANY, a  
Corporation,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

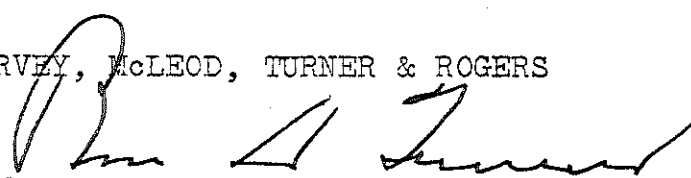
James H. Smith  
August 4, 1944

ESTER E. HINTON, :  
Plaintiff, : IN THE CIRCUIT COURT OF  
vs. : BALDWIN COUNTY, ALABAMA  
FUEL OIL SUPPLY COMPANY, :  
a corporation, : AT LAW.  
Defendant. :  
:

Comes the Defendant and files in this cause its unqualified  
appearance, reserving the right to demur, pleads specially or  
answer herein.

McCORVEY, McLEOD, TURNER & ROGERS

By

  
Attorneys for Defendant.

STATE OF ALABAMA,  
BALDWIN COUNTY

TO R. T. SORRELL, Defendant ..:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of.....

John A. Russell, Plaintiff ..,

versus R. T. Sorrell, Defendant ..,

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which George

Lindsey and Charles Campbell individually and as Partners doing business  
as Fruitdale Lumber Company.

has been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 17

day of August, 1944..



Clerk of the Circuit Court.

Executed Aug 2nd 1944  
by serving a copy of within  
on Notice on.

R. T. Sorrell

W. R. Stuart

Sheriff

By O. F. Zurena Deputy Sheriff

876  
NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

John A. Russell  
vs  
R. T. Sorrell  
Plaintiff

Plaintiff .....

VS.

Defendant .....