

881

STATE OF ALABAMA, )  
COUNTY OF BALDWIN. )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon George B. Fryer 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 the State of Alabama.

Witness my hand this the 22 day of August, 1944.

Reddy  
Clerk

\*\*\*\*\*

STATE OF ALABAMA, )  
Plaintiff )  
vs. )  
GEORGE B. FRYER, )  
Defendant )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

COUNT 1. The plaintiff claims of the defendant the sum of Four Hundred Eight and 08/100 Dollars (\$408.08) damages, for that heretofore, on or about the 6th day of March, 1944, while plaintiff's motor vehicle, namely, a 1939 Dodge Truck, was being operated along United States Highway No. 31, a public highway in Baldwin County, at a point approximately five miles southward from Bay Minette,

where it had a right to have the said truck operated, the defendant wilfully and wantonly drove a motor vehicle, namely, a Plymouth automobile, over, along, into or against plaintiff's truck, damaging it in the following respects:

The fenders, frame, body, steering gear, running board, oil system, lights, springs and supports, front and side were bent, broken and torn.

Plaintiff avers that said damages were by reason of and as a direct and proximate result of the wilful or wanton acts as aforesaid.

COUNT 2. The plaintiff claims of the defendant the additional and further sum of Four Hundred Eight and 08/100 Dollars (\$408.08) as damages, for that heretofore, at the time, place and while plaintiff's truck was being operated in the manner set forth in Count 1 above, the defendant negligently drove a motor vehicle, namely, a Plymouth automobile, over, along, into or against plaintiff's truck thereby damaging same as set forth in Count 1 above.

Plaintiff alleges that his said damages were the direct and proximate result of said negligence, hence this suit.

William N. McQueen  
WILLIAM N. McQUEEN,  
Acting Attorney General,

Forman Smith  
FORMAN SMITH,  
Assistant Attorney General,

ATTORNEYS FOR THE PLAINTIFF.

Executed on the \_\_\_\_ day of August, 1944, by handing a copy of the above summons and complaint to the named defendant.

SHERIFF, MOBILE COUNTY, ALABAMA.

881

1672

RECORDED

Summons and Complaint

Date at, Ala

Geo B. Dinger

address  
1054 Cammells Street  
Mobile, Ala

Filed July 17, 1944  
R. B. Dinger

RECORDED

8-8-44

We the Jury find  
for the Plaintiff  
and assessed the  
damages at \$408.00

W. J. Funt

RECORDED

W. H. HOLCOMBE, Sheriff  
I received a Copy of the within and on  
Day of August 1944  
George B. Dinger

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he shall be barred. Times Prtg. Co., Bay Minette.

THE STATE OF ALABAMA  
BALDWIN COUNTY

} Case No. 881. April, Term, 1945

CIRCUIT COURT

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon O L Murphy

if to be found in your County, at the instance of the Plaintiff

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-

of, by 8.30 o'clock of the forenoon, on the 11th day of April, 1945

and from day to day and term to term of said Court until discharged by law, then and there to testify, and

the truth to say, in a certain cause pending, wherein State of Ala. Plaintiff

and George B Fryer. Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 4th day of April, 1945

R. S. Smith

Clerk

Received in office this 5 day of

April

1945

C. E. Garrett

SHERIFF

I have executed this writ April 6-1945

By Serving Subpoena on

O. L. Murphy

✓ ORIGINAL

No. 881.

Page

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

State of Ala

Plaintiff

VS.

George B Fryer.

Defendant

CIVIL SUBPOENA

Issued this 4th day of

April.

1945

R. D. [Signature]

Clerk.

C. E. Garrett

Geo. Walter D. S.

SHERIFF

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he shall be barred. Times Prtg. Co., Bay Minette.

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT  
Case No. 881. April. Term, 194 5

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Willard Law. Grove Hill Ala.

if to be found in your County, at the instance of the Plaintiff.

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-

of, by 8.30 o'clock of the forenoon, on the 11th day of April., 194 5


and from day to day and term to term of said Court until discharged by law, then and there to testify, and

the truth to say, in a certain cause pending, wherein State of Ala. Plaintiff

and George B Fryer Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 4th day of April., 194 5



Clerk

ORIGINAL

Received in office this \_\_\_\_\_ day of \_\_\_\_\_

194

SHERIFF

I have executed this writ

SHERIFF

No. 881.

Page \_\_\_\_\_

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

State of Ala.

Plaintiff

VS.

George B Fryer.

Defendant

CIVIL SUBPOENA

Issued this 4th day of

April. 1945

*Robert*

Clerk.

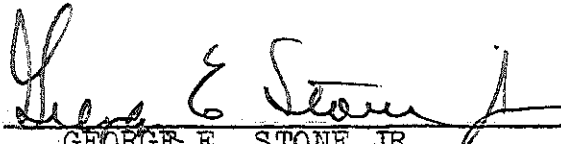
STATE OF ALABAMA,  
Plaintiff

versus

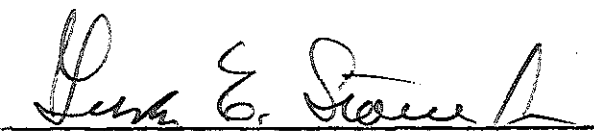
GEORGE B. FRYER,  
Defendant

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

Now comes the defendant in the above entitled cause and files herewith his appearance, expressly reserving the right to answer, plead or demur to the complaint heretofore filed against him.

  
GEORGE E. STONE JR.  
ATTORNEY FOR DEFENDANT

Now comes the defendant in the above entitled cause and demands trial by jury of all issues therein.

  
GEORGE E. STONE JR.  
ATTORNEY FOR DEFENDANT



88

*June*

RECORDED

RECORDED

13/1944  
 1944

188

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he shall be barred. Times Prtg. Co., Bay Minette.

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT  
Case No. 881. April. Term, 1945

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Joe T Bates. Highway Patrol  
Montgomery Ala.

if to be found in your County, at the instance of the \_\_\_\_\_

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-

of, by 8.30 o'clock of the forenoon, on the 11th day of April., 1945

and from day to day and term to term of said Court until discharged by law, then and there to testify, and

the truth to say, in a certain cause pending, wherein State of Ala. Plaintiff

and George B Fryer. Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 4th day of April. 1945



Clerk

769

Received in office this \_\_\_\_\_ day of \_\_\_\_\_

RECEIVED IN OFFICE  
APR 5 1945  
G. A. MOSLEY, Sheriff

I have executed this writ

*See Full*

*4/5/45*

*G. A. Mosley*  
SHERIFF

Montgomery, Co.

ORIGINAL

No. 881

Page \_\_\_\_\_

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

State of Ala.

Plaintiff

VS.

George B Fryer.

Defendant

CIVIL SUBPOENA

Issued this 4th day of

April. 1945

*Rodwell*

Clerk.

The State of Alabama,

CIRCUIT COURT

Baldwin COUNTY.

No. 881.

Nov,

Term, 19 45

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS:

You Are Hereby Commanded, That of the goods and chattels, lands and tenements of  
George B. Fryer, Defendant,  
you cause to be made the sum of \$408.00 DOLLARS,  
which The State of Alabama, Plaintiff,  
recovered of him  
on the 5th day of November, 19 45 by the Judgment of our Circuit Court held for the County of  
besides the sum of 35.90 DOLLARS,  
costs of suit, and have the same to render to said R.S. Duck, and make return of this Writ and  
the execution thereof, according to law.

Interest from Nov, 5t 1945, 19 , to Date of Collection, 19 .

Witness, my hand this 15th day of Jan, 19 46

, Clerk.

CLERK'S FEES		Amount	SHERIFF'S FEES		Amount
Issuing.....Summons and Complaint.....	\$1.25	1 25	Serving and Returning.....Summons.....	\$1.50	
Issuing.....copies of same.....	.30	30	Serving and Returning.....Writs.....	Stu 1.30	1 50
Issuing.....Branch Summons and Complaint.....	1.25		Serving and Returning.....Subs. for Wit.....	.65	
Issuing.....copies of same.....	.30		Levyng.....Attachment.....	Stu 6 3.00	3 90
Entering.....Sheriff's Return or copy of above.....	.20	20	Entering and Returning.....Attachment.....	.25	1 30
Docketing Cause.....	.25	25	Summoning and Returning.....Garnishee.....	1.50	
Entering.....Appearances.....	.20	20	Serving and Returning.....Sci. Fas.....	Notices 1.50	
Filing.....Pleas.....Demurrers.....	.10	30	Impaneling Jury.....	.75	
.....Affidavits, Certified.....	.25		Collecting Cost, Execution.....	1.50	
.....Commissions to take Depositions.....	.75		Taking and Approving.....Replevin Bonds.....	1.00	
.....copies of Interrogatories.....			.....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	10	Writ of Possession.....	5.00	
Issuing.....Subpoenas for 10 Witnesses.....	.30	3 00	Making Deed.....	5.00	
Trail and Incidents.....	.75	75	Collecting Money on Execution.....		
Entering.....Judgment.....	.30	30	Writ of Restitution.....	2.00	
Issuing.....Execution.....	.50	50	Sheriff's Commissions.....		
Entering.....Sheriff's Return of Execution.....	.20		Sheriff's Deed.....		
Issuing.....Certiorari.....Sci. Fas.....	.75		Seizing Personal Property in Detinue.....	3.00	
Filing.....Certiorari, etc.....	.15		Former Sheriff's Fees.....		
Issuing.....Notices.....	.75		Total Sheriff's Fees.....		6 70
Issuing.....copies of same.....	.50		WAIVER.....NO WAIVER.....		
Taking.....Bonds.....	.75		Recapitulation.....		
Filing.....Bonds.....	.10		Judgment for Pltff for.....		408.00
Issuing.....Attachment Writ... and taking Bond.....	1.00		Interest from.....		<del>11.80</del>
Filing.....Attachments.....	.10		Damages.....		
.....Summons of Garnishee.....	.50		Clerk's Fees.....		11 60
Swearing and Ent.....Answer of Garnishee.....		3 00	Sheriff's Fees.....		6 70
Complete Record, 15c per 100 words.....			Justice of Peace Fees.....		
Transcript to Supreme Court.....			Witness Fees in Justice of Peace Court.....		
Certificate of Appeal to Supreme Court.....	.75		Constable's Fees.....		
.....Notices of Appeal.....	.75		Commissioner's Fees.....		
.....Appeal Bond.....	.75		Commissioners Residence.....		
Certificate of Judgment.....	.50	50	Printer's Fees.....		
.....Witness Certificates.....	3 25	75	Garnishee's Fees.....		9 60
		11 60	Witness Fees in Circuit Court.....		5 00
			Former Clerk's Fees.....	Steno.	0 00
			Trial Tax.....		0 00
Total Clerk's Fees.....			Total Fees.....Cost 35.90		443 90

6

No. 881. Page 1267

THE STATE OF ALABAMA,  
Balwin. COUNTY.  
CIRCUIT COURT.

State of Alabama.  
Ref. Apr 15, 1946 Plaintiff  
vs.  
George B. Fryer Defendant

CIVIL EXECUTION FOR COSTS AGAINST  
DEFENDANT

Judgment for Pltff. for \$ 408.00  
Interest from , 19 , to , 19 , \$  
Damages \$  
Costs \$ 35.90  
Total \$ 443.90

Civil Fee Book Page  
Execution Docket Page  
Filed Jan. , 19 46  
Wm. N. McQueen Attny. Gen. Clerk  
Plaintiff's Attorney  
Defendant's Attorney

Wm

Mobile County

COLLECT COSTS FROM  
DEFENDANT

THE STATE OF ALABAMA,  
Balwin. 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

, 19

Sheriff.

Sheriff's Execution Docket, page

Sheriff's Fee Book. 27, 1946  
Returned. Feb. 8, 1946  
No property of defendant found in my County.

W. H. HOLCOMBE, Sheriff  
E. G. Cordova D.S.

I returned to the Sheriff's Office and found no property owned by Geo. B. Fryer. Returned 2:18. 46 to R. S. Duck, Clerk of the Baldwin County Jail. Wm. N. McQueen, Attny. Gen. in Baldwin County. C. E. Darnett, Sheriff

By virtue of the within Execution, I have, at o'clock M, this day of , 19 levied

The State of Alabama, COUNTY.

PLAINTIFF'S WITNESSES

Amount

DEFENDANT'S WITNESSES

Total

**CIVIL SUBPOENA—COPY**—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred  
Times Pg. Co., Bay Minette.

**THE STATE OF ALABAMA**  
**BALDWIN COUNTY**

} Case No. 881.

**CIRCUIT COURT**  
April. Term, 194 5

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Willard Law. Grove Hill Ala.  
if to be found in your County, at the instance of the Plaintiff.  
to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-  
of, by 8.30 o'clock of the forenoon, on the 11th day of April., 194 5  
and from day to day and term to term of said Court until discharged by law, then and there to testify, and  
the truth to say, in a certain cause pending, wherein State Of Ala. Plaintiff  
and George B Fryer. Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 4th day of April. 194 5  
R. Duell Clerk