

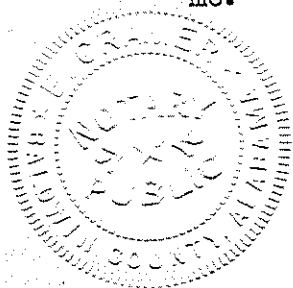
883

Joe McPhillips : Circuit Court
Plaintiff :
vs : Baldwin County
Alabama
John Van Wynen :
Defendant : Number 883.

Personally appeared Joe McPhillips, who, being duly sworn according to the law, deposes and says the defendant, John Van Wynen, in the above titled cause is not a member of the Armed Forces of the United States of America or of any other country; that defendant is a resident of Baldwin County, Alabama, and past the AGE of 21 years; that Plaintiff herein, deponent, is a resident of said Baldwin County and past the age of 21 years.

Joe McPhillips

Subscribed and sworn to this 26th day of September, A. D. 1944, before me.



E. Crumley
Notary Public, Baldwin County, Ala.

The State of Alabama }
Baldwin County }

Know all Men by these Presents. That we, Joe McPhillips, J. A. Hawkins and Hazel Phillips

are held and firmly bound unto John Van Wynn
in the sum of One Thousand (1000) DOLLARS,

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 and firmly by these presents.

Sealed with our seal and dated this 21st day of August, 1944

The Condition of the Above Obligation is Such, That whereas the above bound

Joe McPhillips
Circuit
has this day commenced suit in the Court of Baldwin County, Alabama,
against said John Van Wynn
for the recovery of thirty five hundred (3500) chickens

and have made affidavit that the property sued for belongs to said Joe McPhillips and entered into this bond, has obtained an order requiring the Sheriff of Baldwin County to take the said property sued for into his possession.

Now, if the said Joe McPhillips shall fail in said suit and pay the defendant all such costs and damages as he may sustain by the wrongful complaint, then this obligation to be void, otherwise to remain in full force and effect. And for payment of the above bond, we waive our right to exemption to personal property under the Constitution and Laws of the State of Alabama.

Approved 8.21.1944
Roberts

Joe McPhillips Jr. (Seal)
J. A. Hawkins (Seal)
Hazel Phillips (Seal)

The State of Alabama }
Baldwin County }

Before me, E. C. Crumley, Notary Public in and for said County, personally appeared Joe McPhillips who being duly sworn, deposeth and saith, that the following property, to-wit: 3500 chickens

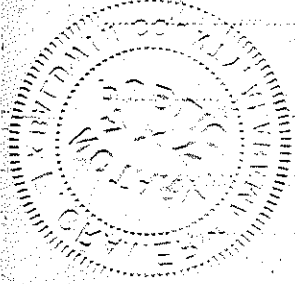
for the recovery of which he has instituted suit this day in the Circuit Court of Baldwin County against John Van Wynn is the property of the said affiant.

Sworn to and subscribed before me this

21st day of August 1944

E. C. Crumley
Notary Public, Baldwin County, Ala.

Joe McPhillips Jr.



882

The State of Alabama

Barlow County

Circuit ~~State~~ COURT OF

DETINUE BOND AND AFFIDAVIT

Joe McPhillips

vs.

John Day Agnew

Filed Aug 2, 1944
Proctor
By

Know All Men By These Presents that we, Joe McPhillips and J. A. Hawkins and Hazel Phillips are held and firmly bound unto John Van Wynen in the sum of Sixteen Hundred (1600) Dollars, for which payment, 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 7th day of September, 1944.

The condition of this obligation is such that whereas the above named Joe McPhillips commenced an action of detinue against the said John Van Wynen by issuing writ in detinue from the Circuit Court of Baldwin County, Alabama, on the 21st day of August, 1944, by which, together with the endorsement thereon, and Sheriff of the State of Alabama was commanded to take into his possession the following described property, to wit: 3500 chickens, which said writ was on August 21st 1944 placed in the hands of W. R. Stuart, Sheriff of said Baldwin County, for due execution thereof, and which said writ said W. R. Stuart, Sheriff as aforesaid, executed according to its mandates, by taking possession of the following property, to wit: 2000 chickens, and whereas the said John Van Wynen, defendant in said suit has failed and neglected for the space of five days from the taking into possession of said property by said W. R. Stuart, Sheriff as aforesaid, to give bond and take possession of said property as authorized by law.

Now Therefore, if the said Joe McPhillips, Plaintiff in said suit, shall deliver the above described property to the said John Van Wynen, defendant in said suit, within thirty days after judgment, together with damages for the detention of said property and costs of suit, in case he shall fail to recover same in his suit, then and in that event this obligation to be void, otherwise to remain in full force and effect.

And we further waive the benefit of all laws exempting property from levy and sale under execution or other process for the collection of debt by the constitution and laws of the State of Alabama and we hereby severally certify that we have property free from all incumbrance to the full amount of the above bond.

_____(SEAL)

J. A. Hawkins (SEAL)

Hazel Phillips (SEAL)

882

Joe McPhillips

vs

John Van Wynn

Replevin Bond.

The State of Alabama }
Baldwin County

Circuit ~~JUSTICE~~ COURT
Baldwin County
No. ~~xxxx~~

To Any Lawful Officer of Said County, Greetings:

You are hereby-commanded to summon John Van Wymen

to appear within thirty days from the service of this writ, in the ~~Circuit~~ ^{Circuit} Court to be held for said County
at the place of holding the same, then and there to answer the complaint of

Joe McPhillips

Witness my hand this 21st day of August, 1934

[Signature] ~~xxxx~~ Clerk

COMPLAINT

Joe McPhillips

John Van Wymen

Plaintiff.. versus

Defendant..

The plaintiff claims of the defendant the following personal property, to-wit:

Thirty Five Hundred (3500) chickens

with the value of the hire or use thereof during the detention, to-wit:

from _____, 193____, to _____, 193____

Joe McPhillips Jr

Plaintiff ~~xxxx~~

No. 883

Page

The State of Alabama,

BALDWIN COUNTY

Justice

JUSTICE COURT

Gae McPhillips

PLAINTIFFS

vs.

John Van Wymen

DEFENDANTS

Detinue Summons and Complaint

Filed

8-23-44

1934

Filed

8-24-44

R.S. Newb

Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co., Bay Minette

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.

Redeek

clerk

(888)

F.P.

Executed Aug 21 1944
by serving copy of within Summons and Complaint on

John Van Wymen and
By taking into custody
Gossard's Twenty One
Pounded Chickens (2100)
Van Wymen & Gossard
W.R. Edwards Sheriff

By O.B. Edwards Deputy Sheriff

\$ Value 750

Defendant lives at

Received in office

193

Sheriff

I have executed this summons

193

this

by leaving a copy with

Sheriff

Deputy Sheriff