

G. E. WILKINS,  
PLAINTIFF,  
VS.  
W. F. HAWIE,  
DEFENDANT.

1321  
IN THE JUSTICE OF THE PEACE  
COURT

COUNT ONE: Plaintiff claims of the Defendant the sum of \$100.00 damages, for that heretofore on to-wit the 11th day of June, 1948, Plaintiff delivered to the Defendant for a reward paid to the Defendant the possession, custody and control of certain personal property of the Plaintiff to-wit, one (1) 21-Jewel Hamilton Watch, 1 gold watch chain, one watch fob and \$10.00 in lawful currency of the United States of America, and thereupon Defendant became Baillee of the said property. The Plaintiff avers that while said property was in the possession of the Defendant as Plaintiff's Baillee as aforesaid, the Defendant, through his agents, servant or employee, while acting within the line and scope of their employment as such, negligently on to-wit the 11th day of June, 1948 allowed Plaintiff's aforesaid personal property to be stolen and as a proximate consequence thereof Plaintiff lost all of said personal property and the value thereof, all to the damage of the Plaintiff as aforesaid.

COUNT TWO: Plaintiff claims of the Defendant the sum of \$100.00 as damages for this: Plaintiff avers that on to-wit the 11th day of June, 1948 the Plaintiff was an invited guest at Defendant's bathing pavilion in Fairhope, Alabama and as Bailor delivered to the Defendant as Baillee the possession, custody and control of certain personal property of the Plaintiff, to-wit: 1 21-Jewel Hamilton Watch, 1 gold watch chain, 1 watch fob and \$10.00 in lawful currency of the United States of America. Plaintiff avers that Plaintiff paid the Defendant a reward and in consideration thereof at the time of the delivery of said personal property to Defendant as aforesaid, the Defendant agreed and promised to use due care to protect and safeguard said personal property of the Plaintiff while in Defendant's possession, and to

exercise due care in safeguarding said personal property against loss for the period of time that Plaintiff was a guest at Defendant's said bathing pavilion. Plaintiff avers that Defendant breached said agreement in this: While the Plaintiff was a guest and at the Defendant's bathing pavilion as aforesaid and while said personal property was in the possession of the Defendant as Baillee of the Plaintiff, the Defendant failed to use due care in safeguarding said personal property for the Plaintiff but negligently caused plaintiff's said personal property to be delivered to another person whose name is to the Plaintiff unknown and Plaintiff's said personal property has never been returned to the Plaintiff and that as a proximate result of the breach of said agreement by the Defendant as Baillee the Plaintiff lost all of said personal property and the entire value thereof, hence this suit.

COUNT THREE: Plaintiff claims of the Defendant \$100.00, damages for the conversion by Defendant on the 11th day of June, 1948 of the following chattels: 1 21-Jewel Hamilton Watch, 1 gold watch chain, one watch fob and \$10.00 in lawful currency of the United States of America, the property of the Plaintiff.

COUNT FOUR: Plaintiff claims of the Defendant the following personal property, viz: 1 21-Jewel Hamilton Watch, 1 gold watch chain, one watch fob and \$10.00 in lawful currency of the United States of America, with the value of the hire or use thereof, during the detention viz, from the 11th day of June, 1948.

  
ATTORNEY FOR PLAINTIFF

ATTORNEY FOR PLAINTIFF

Plaintiff waives as to his claim any amount in excess of \$100.00, the amount of the jurisdiction of the Court.

  
ATTORNEY FOR PLAINTIFF

Defendant's Address:  
Fairhope, Ala.

THE STATE OF ALABAMA }  
Baldwin County }

IN THE JUSTICE COURT OF

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

Summon W. F. HAWIE.

to appear before me on the 12 day of Feb., 1949, next, at my office in  
Fairhope, at 2 P.M., Baldwin County, Alabama, to answer the complaint of  
G. E. WILKINS,

and then and there make a return of this summons.

Issued the 4 day of Feb., 1949

H. G. Packman

, Justice of the Peace

COMPLAINT

W. F. Hawie } VS. {  
Plaintiff } Defendant

The Plaintiff claims of the Defendant the sum of \_\_\_\_\_ Dollars

\_\_\_\_\_  
Plaintiff's Attorney

RECORDED

No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
Baldwin County

In the Justice Court of

*H. B. Perkins*

*Dec. 12* Term, 194*9*

SUMMONS AND COMPLAINT

G. E. WILKINS

Plaintiff

VS.

W. F. HAWIE

Defendant

The Defendant is hereby notified that  
Writ of Garnishment has been served on

\_\_\_\_\_, J. P.

Location: \_\_\_\_\_

Moore Printing Co., Bay Minors, Ala.

MAR 10, 1949

ALICE J. DUCK, Clerk

Executed by personal service and notice of

Garnishment

this *21* day of *Feb* 194*9*

By *C. P. Vanderstone* Constable

**The State of Alabama, {**  
Baldwin County.

That we, W. F. Hawie

are held and firmly bound unto

in the sum of Two Hundred \$200.00 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. But upon condition, that if the above

bound W. F. Hawie shall prosecute to

effect an appeal by him taken this day to the next term of the Regular term of Circuit Court of

Baldwin County from a judgment rendered against him in favor of said G. E. Wilkins

by G. E. Perkins

a justice of the peace for said county, for the sum of One Hundred

\$100.00 Dollars, debt in said appeal, shall pay such judgment, both as to

debt and costs as may be rendered against him by the said Circuit Court of

Baldwin County, then, in either of said events, this obligation to be void, otherwise to remain in full force and effect.

Given under our hands and seals, this the 9 day of March 1949

Approved:

W. F. Hawie (L. S.)

W. F. Hawie (L. S.)

G. E. Perkins (L. S.)

J. P.

No.

**RECORDED**

# APPEAL BOND

JUSTICE'S COURT OF

**PLAINTIFF**

**VS.**

**DEFENDANT**

Filed this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

**The State of Alabama,**  
Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, \_\_\_\_\_

Bob Beard

are held and firmly bound unto \_\_\_\_\_

in the sum of Twelve Hundred DOLLARS,  
for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs,  
executors and administrators, jointly and severally. And for the payment of the above bond, we waive  
our right of exemption as to personal property, under the Constitution and Laws of the State of Alabama.

Sealed with our seals and dated this \_\_\_\_\_ day of \_\_\_\_\_ 193\_\_\_\_

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas a Writ of Attach-

ment issued by Circuit

at the suit of said R. C. Newman against

the estate of the above named Bob Beard

returnable before the said R. C. Newman Spring of Circuit Court

as aforesaid, at his office on the \_\_\_\_\_ day of July, 193\_\_\_\_, for the

sum of Twelve Hundred DOLLARS,

has been placed in the hands of Taylor Watkins, Sheriff

in and for the said County, and has been levied by him upon the following property, to-wit:

1 Bed Mattress & Springs, 2 1/2 beds, 1 Divan  
1 radio, 1 book table, 1 dining table, 4 chairs  
1 overstuffed chair, 1 rocking chair, 1 gas heater  
2 hot plates, 1 enamel table, 1 chest drawers  
1 plywood chest, 1 Elec. Oven, 1 Washing machine

and whereas, the property has been delivered to the said \_\_\_\_\_

\_\_\_\_\_ on his entering into this bond.

NOW, THEREFORE, If the Defendant shall fail in said action, he or his securities shall return the  
specific property attached and above mentioned to the said Sheriff, within ten days after judgment against  
said Defendant in this suit, then this obligation to be void, otherwise to remain in full force and effect.

Taken and approved this 14

day of April, 1939

Taylor Watkins Sheriff

R. C. Newman (L. S.)  
John H. Fickner (L. S.)  
Wendell A. Reed (L. S.)

**RECORDED**

**THE STATE OF ALABAMA,**  
BALDWIN COUNTY.

**Circuit Court, Baldwin County**

**REPLEVY BOND**

vs.

Taken and approved this

day of \_\_\_\_\_, 193



G. E. PERKINS

JUSTICE OF THE PEACE

Fairhope, Ala.

March 9th. 1949

Mrs. Alice Duck  
Clerk Circuit Court  
Bay Minette, Ala.

Dear Mrs. Duck;-

Am incloseing to you all papers, including  
Summons and Complaint, and Bond, in the case of G. E. Wilkins,  
V. S. W. F. Hawie, on appeal to the Circuit Court, of Baldwin  
County.

Yours Very Resp.

*G. E. Perkins, J.P.*

ATTORNEYS	NAMES OF PARTIES	CAUSE OF ACTION	ITEMIZED BILL OF COST	
Rickarby and Rickarby	G. E. Wilkins, Plaintiff V. S. W. F. Hawie, Defendant	Suit for Damages	<p>JUSTICE'S FEES</p> <p>Issuing Summons ..... \$ 50</p> <p>Issuing ..... Alias Summons ..... 50</p> <p>Issuing ..... Subpoena.. for each witness 15</p> <p>Issuing ..... Execution and Taxing Cost.. 50</p> <p>Issuing ..... Summons to Garnishee and taking answer ..... 50</p> <p>Issuing ..... Attachment Writ ..... 50</p> <p>Attachment Bond and Affidavit ..... 1 50</p> <p>Garnishment Bond and Affidavit ..... 50</p> <p>..... Appeal or Certiorari, including Bond 1 00</p> <p>..... Bond ..... 50</p> <p>Administering Oath and certifying same.. 50</p> <p>..... Certificate not otherwise provided for 25</p> <p>Docketing Cause ..... 10</p> <p>Judgment on Forthcoming Stay or Replevin or Replevin Bond ..... 50</p> <p>Judgment on Summary Proceeding ..... 75</p> <p>Issuing ..... Venire Facias ..... 50</p> <p>Transcript of Proceeding ..... 50</p> <p>Attending Trial or Right of Property ..... 1 00</p> <p>..... Sci. Fa. or notice in nature thereof 50</p> <p>Making Return of Certiorari ..... 50</p> <p>..... Notice to Defendant ..... 15</p> <p>Release ..... 25</p> <p>CONSTABLE'S FEES D.S. Fees Civil Cases</p> <p>Serving ..... Summons ..... 100</p> <p>Serving ..... Summons on Each Witness ..... 25</p> <p>Serving ..... Garnishment ..... 25</p> <p>Levying Execution under \$50 00 ..... 1 00</p> <p>Levying Attachment under \$50.00 ..... 1 00</p> <p>Making Money, 3 per cent, not less than ..... 75</p> <p>Serving Notice, etc. on each party therein 25</p> <p>Serving Sci. Fa. or other like Notice ..... 50</p> <p>Taking Bail or other Bond ..... 50</p> <p>Keeping Property Levied on ..... 50</p> <p>WITNESS' FEES</p> <p>..... Witness ..... Days ..... 50</p> <p>Garnishee's Fee .....</p>	<p>\$1.00</p> <p>1.00</p> <p>.50</p> <p>.10</p> <p>.75</p> <p>.50</p> <p>1.00</p> <p>4.35</p> <p>1.50</p>
	DISPOSITION OF CASE			
	Bond and Affidavit Filed March 9th..1949			
	Summons and Complaint Issued Ret. G.E.Perkins, J. P.			
	Ret. Executed By A. P. Van Iderstine, D.S.			
	On the 5 day of March 1949, came the Plaintiff			
	and the Defendant being called and failed to appear			
	a Judgement by default was entered for claimed damages assessed \$100.00 dollars and cost of court \$4.35			
	for which let execution issue, done this 5th. day			
	of March 1949.	Justice of the Peace		