

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF THE COUNTY OF BALDWIN:

Summon Bernice E. Boyd to appear before me on the 21 day of September, 1949, at the City Hall, Foley, Baldwin County, Alabama, to answer the complaint of Dean G. Almon and Ellen D. Almon, and there make return of this summons.

WITNESS my hand this the 13 day of September, 1949.

M. R. Howell.  
Justice of the Peace.

DEAN G. ALMON and ELLEN	Ø	IN THE JUSTICE COURT OF
D. ALMON.	Ø	
	Ø	M. R. HOWELL, JUSTICE OF
PLAINTIFFS	Ø	
	Ø	THE PEACE, BEAT 14, BALD-
VS.	Ø	
	Ø	WIN COUNTY, ALABAMA.
BERNICE E. BOYD	Ø	
DEFENDANT	Ø	

The Plaintiffs sue to recover possession of the following tract of land situated in Baldwin County, Alabama, to-wit:

Lots 12, 13, 14, 15 and 16 in Block 3 of Southport Unit of Gulf Shores Ala. as shown on a map thereof recorded in Map Book I page 151 in the Probate office of Baldwin County, Alabama, including all fixtures and equipment located on said property used in the operation of a restaurant located thereon a list of said fixtures being attached hereto and made a part hereof the same as if written herein.

of which they were in possession, and upon which, pending such possession, and before the commencement of this suit the Defendant lawfully entered under a contract between the Plaintiffs and the Defendant, a copy of which is hereto attached, marked exhibit "A" and made a part hereof, and which now the Defendant, after the termination of her possessory interest, the Defendant having waived any notice required by law for the repossession of the said property, unlawfully detains, together with ONE HUNDRED (\$100.00) DOLLARS for the detention thereof.

S. M. S.  
Attorney for the Plaintiffs.

Exhibit "A"

State of Alabama §  
Baldwin County §

This contract of purchase and sale made and entered into in duplicate this 29 day of Jan., 1949, by and between Bernice E. Boyd, hereinafter called, Purchaser and Dean G. Almon and wife Ellen D. Almon, hereinafter called Sellers;  
WITNESSETH: In consideration of the premises and the mutual covenants herein contained it is agreed by and between said parties as follows;

1. The Sellers agree to sell to the Purchaser the following described property in Baldwin County, Alabama;

Lots 12, 13, 14, 15 and 16 in Block 3 of Southport Unit of Gulf Shores Ala., as shown on a map thereof recorded in Map Book 1 page 151 in the Probate office of Baldwin County, Alabama, including all fixtures and equipment located on said property used in the operation of a restaurant located thereon a list of said fixtures being attached hereto and made a part hereof the same as if written herein.

The Sellers agree to pay all taxes for the year 1948, to transfer to Purchaser all insurance now in force on said property and to give Purchaser a clear title to same, all the above being contingent on this transaction being closed on or before March 28, 1949.

2. In consideration of the above Purchaser agrees to given to Sellers on the execution of this contract and as a part of the earnest money or down payment on the above property a warranty deed, subject to a mortgage thereon which Sellers agree to assume, to that certain house and lot in Birmingham Ala., located at 2930 Norwood Blvd. and fully described in that certain warranty deed from John A. Barranco et als, executed on or about March 14, 1947, and recorded in Deed Book 3876, page 99, in the office of the Probate Judge of Jefferson County, Alabama, which full description is made a part of this instrument the same as if written herein. It is specifically understood and agreed that should this transaction fail or consummation for any fault whatsoever on the part of the Purchaser, including failure of Purchaser's husband to execute the mortgage hereinafter provided for title to said Birmingham property shall remain in Sellers as liquidated damages for failure to carry out this contract.

Purchaser further covenants and agrees to; pay the Sellers \$5,000.00 cash on or before said March 28, 1949, failing which Sellers may declare this contract void and immediately repossess said Baldwin County property and Purchaser hereby waives any notice required by law for the recovery of said possession; to pay the further sum to Sellers of \$11,000.00 in 3 equal sums represented by 3 promissory bearing 5% interest payable when the principal sums are payable, the first note payable April 1, 1950, the second note payable April 1, 1951 and the third note payable April 1, 1952, with the right to Purchaser to pay any part or all of said \$11,000.00 at any time with interest to date of payment said notes to be secured by a First Mortgage on said property and equipment herein described; to insure said property for fire and storm in an amount equal to two-thirds of the amount of the unpaid balance; not to commit or permit waste on said property and to maintain said premises and equipment in as good condition as now exists natural wear and tear excepted. Purchaser further agrees to pay all notes on said Birmingham property through January 1949, to pay all 1948 taxes due thereon, to assigns, set over and transfer all insurance now in force on said Birmingham property and to pay any debts outstanding for alterations and repairs.

In witness whereof we have hereunto set our hands and seals on the date above written.

Bernice E. Boyd  
Purchaser

L. S.

Dean G. Almon  
Seller

L. S.

Ellen D. Almon  
Seller

L. S.

State of Alabama  
Baldwin County

I, Robert M. Mundine, a Notary Public, in and for said State, and County hereby certify that Bernice E. Boyd, Dean G. Almon and wife Ellen D. Almon whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this date that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this  
29 day of Jan., 1949.

Robert M. Mundine  
Notary Public.

Foley, Ala. March 28th, 1949.

We the undersigned acknowledge receipt of \$2250. cash, note of Claude Peteet for \$250. due May 28th, 1949, making a total of \$2500. Upon receipt of this sum we hereby extend the said contract on which there is due \$2500. until November 5th, 1949; \$500. note due July 28th, 1949 and \$2000. due Nov. 5th, 1949.

- 1 250 Gal. Butane Gas Tank
- 1 Flood Light
- 1 Neon Sign
- 1 24" Attic Fan
- 1 R. C. Allen Cash Register
- 1 Victor 23 case beverage Vox (elec)
- 1 (7-Up) 13 case drink box (Elec)
- 1 Wall Cabinet
- 1 Glass Pie Case
- 1 Electric Vaculator Coffee Maker
- 1 Oasis Electric Water Cooler
- 1 Utility Table
- 1 Coffee Stand
- 24 Chairs
- 1 Baby Chair
- 11 Stools
- 1 Fountain Sink
- 1 Silverware Tray
- 5 Glass Racks
- 14 Ash Trays
- 8 Sugar Containers
- 3 Cream Containers
- 13 Salt Shakers
- 10 Pepper Shakers
- 6 Napkin Holders
- 1 Cigarette Case

STATE OF ALABAMA  
BALDWIN COUNTY

- 1 Restaurant Grill with warmer
- 1 #82 B. Garland Range
- 1 Gas Refrigerator
- 1 Electric Refrigerator
- 1 Electric Deep Freezer 8 ft. G.E.
- 1 9' three compartment sink with side arm heater
- 1 30 Gal. Mission Hot Water Tank
- 1 Butane Gas Heater
- 4 Kitchen Tables
- 1 Scalding Rack
- 41 Table Knives
- 40 Table Forks
- 17 Cocktail Forks
- 59 Teaspoons
- 13 Ice Tea Spoons
- 11 Table Spoons
- 26 Coffee Cups
- 32 Coffee Saucers
- 71 Water Glasses
- 78 Miscellaneous Glasses
- 42 Dinner Plates
- 28 Sandwich Saucers & Plates
- 1 Glass Coffee Maker
- 2 Metal Tops for Coffee Maker
- 2 Protector Rubber Mats
- 1 Metal Ice Cream Cone Holder
- 1 Glass Ice Cream Cone Holder
- 4 Steak Weights
- 5 Butcher Knives
- 6 Tin Pie Pans
- 8 Glass Pie Pans
- 3 Roasters
- 2 Deep Fat Fryers with baskets
- 5 Skillets
- 1 Dutch Oven
- 5 Sauce Pans
- 14 Miscellaneous kitchen tools
- 2 Egg Poachers
- 2 Bread Boxes
- 2 Potato Peelers
- 3 Strainers
- 2 Cake Pans
- 2 Platters
- 9 Butter dishes
- 37 Cereal & dessert dishes
- 3 large bowls
- 8 serving trays
- 2 car serving trays
- 1 flour can
- 1 Pie marker
- 1 Muffin tin
- 1 Cornstick pan
- 1 grater
- 1 coffee measurer
- 1 Swing-a-way Can opener
- 1 Biscuit pan
- 1 large aluminum Pitcher
- 9 Refrigerator dishes
- 1 Onion chopper
- 1 Lemon juicer
- 1 dish pan
- 1 was pan
- 1 wooden mop bucket with step-on-ringer
- 1 fly sprayer
- 1 sink plunger
- 5 minu holders
- 1 Pabst counter beer opener
- 12 plastic Lilly Tulip cups
- 1 Cahister Set
- 1 Pencil sharpener
- Ice Cream Scooper
- 5 Serving Tables.

9-14-49

Executed by J. J. J. J.  
Copy on Defendant.  
in Person

B. H. Cobb  
Constable Beat  
14.

Original

Dean J. Almon. et al

vs

Germine E. Boyd

Summons & Complaint

FILED  
Filed OCT 28 1949  
WILLIE H. DASH, Clerk

To HON. M. R. HOWELL, JUSTICE OF THE PEACE, Beat Fourteen, Baldwin County, Alabama:

You will take note that the following order was rendered by the Circuit Court of Baldwin County on the 27<sup>th</sup> day of *Sept* 1949:

"Ex parte; Bernice E. Boyd.

"In re: Dean G. Almon and Ellen D. Almon, Plaintiffs, vs. Bernice E. Boyd, Defendant, in the Justice Court, Beat Fourteen, Baldwin County, Alabama.

46  
7  
C  
DE  
TH  
8  
9  
U  
"Comes the petitioner by her attorneys and files in this Court her petition praying that a writ of prohibition be directed to the Hon. M. R. Howell, as Justice of the Peace in Beat Fourteen, Baldwin County, Alabama, restraining and prohibiting him from proceeding further in the unlawful detainer case now pending in the Justice Court of Beat Fourteen, Baldwin County, Alabama, the style of the cause being Dean G. Almon and Ellen D. Almon, Plaintiffs vs. Bernice E. Boyd, Defendant.

"Said petition being submitted and duly examined and understood by the Court, it is considered and ordered that the rule nisi issue to the said M. R. Howell, as Justice of the Peace of Beat Fourteen, Baldwin County, Alabama, commanding and requiring him to show cause before the Circuit Court of Baldwin County, Alabama on the 6<sup>th</sup> day of *Oct* at 10<sup>00</sup> A.M. 1949, why the writ of prohibition should not issue to him as prayed for in said petition.

"It is further ordered that the Hon. M. R. Howell, Justice of the Peace, be restrained from further proceeding in the unlawful detainer case as above styled until further ordered by this Court."

Now, then, in pursuance to the foregoing order the rule nisi hereby issues to the said Hon. M. R. Howell, Justice of the Peace, of Beat Fourteen, Baldwin County, Alabama, commanding and requiring him to show cause before the Circuit Court of Baldwin County, Alabama on the 6<sup>th</sup> day of *Oct* 1949, why the writ of prohibition should

EX PARTE

BERNICE E. BOYD,  
Petitioner.

IN THE  
CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

In re: Dean G. Almon and Ellen D. Almon, Plaintiffs, vs.  
Bernice E. Boyd, Defendant, in the Justice Court, Beat Fourteen,  
Baldwin County, Alabama.

Comes the petitioner by her attorneys and files in this Court  
her petition praying that a writ of prohibition be directed to the  
Honorable M. R. Howell, as Justice of the Peace in Beat Fourteen,  
Baldwin County, Alabama, restraining and prohibiting him from pro-  
ceeding further in the unlawful detainer case now pending in the  
Justice Court of Beat Fourteen, Baldwin County, Alabama, the style  
of the cause being Dean G. Almon and Ellen D. Almon, Plaintiffs,  
vs. Bernice E. Boyd, Defendant.

Said petition being submitted and duly examined and understood  
by the Court, it is considered and ordered that the rule nisi issue  
to the said M. R. Howell, as Justice of the Peace of Beat Fourteen,  
Baldwin County, Alabama, commanding and requiring him to show cause  
before the Circuit Court of Baldwin County, Alabama on the 6<sup>th</sup>  
day of *October*, 1949, *at 10:00 A.M.* why the writ of prohibition should not  
issue to him as prayed for in said petition.

It is further ordered that the Honorable M. R. Howell, Justice  
of the Peace, be restrained from further proceeding in the unlawful  
detainer case as above styled until further ordered by this court.

Done this 2<sup>nd</sup> day of *September* 1949.

*Telfair J. Masliburn, Jr.*  
JUDGE



IN THE  
CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

EX PART  
BERNICE E. BOYD,  
Petitioner.

In re: Dean G. Almon and Ellen D. Almon, Plaintiffs, vs.  
~~Bernice E. Boyd, Defendant, in the Justice Court, East Fourteen,~~  
Baldwin County, Alabama.

Comes the petitioner by her attorneys and files in this Court  
her petition praying that a writ of prohibition be directed to the  
Honorable M. R. Howell, as Justice of the Peace in East Fourteen,  
Baldwin County, Alabama, restraining and prohibiting him from pro-  
ceeding further in the unlawful detainer case now pending in the  
Justice Court of East Fourteen, Baldwin County, Alabama, the  
of the cause being Dean G. Almon and Ellen D. Almon, Plaintiffs,  
vs. Bernice E. Boyd, Defendant.

Said petition being submitted and duly examined and understood  
by the Court, it is considered and ordered that the writ issue  
to the said M. R. Howell, as Justice of the Peace of East Fourteen,  
Baldwin County, Alabama, commanding and requiring him to show cause  
before the Circuit Court of Baldwin County, Alabama on the  
day of October, 1949, why the writ of prohibition should not  
issue to him as prayed for in said petition.

It is further ordered that the Honorable M. R. Howell, Justice  
of the Peace, be restrained from further proceeding in the unlawful  
detainer case as above styled until further ordered by this court.

Done this 27th day of September 1949.

*W. W. Wadsworth*  
Clerk

Filed 9-27-49  
cc: Clerk  
cc: Almon

RECORDED

9 141 222

EX PARTE

BERNICE E. BOYD,  
Petitioner

IN THE  
CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

TO THE HON. TELFAIR J. WASHBURN, JR., Judge of said Court:

Now comes Bernice E. Boyd, Petitioner, through her attorneys, and shows to the Court that Dean G. Almon and Ellen D. Almon have filed suit in unlawful detainer before the Hon. M. R. Howell, Justice of the Peace of Beat 14, Baldwin County, and petitioner attaches a copy of said summons and complaint to this petition and makes it a part thereof.

Petitioner further shows that it appears from said complaint that the action is an action to try title to real estate contrary to the statutes and constitution of the State of Alabama, and that in spite of this appearing on its face, the said Hon. M. R. Howell, as Justice of the Peace, did issue a summons and complaint against petitioner, which is to be tried September 28, 1949.

Wherefore, petitioner prays that a rule nisi issue from this Honorable Court directed to the said Hon. M. R. Howell, Justice of the Peace, and Dean G. Almon and Ellen D. Almon, ordering and directing them to appear before this Honorable Court at a date and time to be fixed by this Court, then and there to show cause why the Hon. M. R. Howell as Justice of the Peace should not be prohibited from proceeding further with said suit, other than to make such orders as the court shall direct.

Petitioner further prays that on a final hearing hereof this Honorable Court will grant a writ of prohibition, mandamus or other remedial writ, ordering and directing the said Hon. M. R. Howell, Justice of the Peace, from further harassing, annoying or threatening the said petitioner in said Justice Court in this cause.

BERNICE E. BOYD

  
Her Attorneys.

STATE OF ALABAMA

BALDWIN COUNTY

Before me the undersigned authority in and for said State and County, personally appeared M. F. Dozier, who being by me first duly sworn, deposes and says that the matters of fact alleged in the foregoing petition are true and correct to his own personal knowledge.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 1949.

Notary Public.

EDWARD D. VITTON, District  
DEAN G. VITTON, Secy

as

BERNICE E. BOYD

Petition of Bernice E. Boyd

DEAN G. ALMON and  
ELLEN D. ALMON, Plaintiffs

VS

BERNICE E. BOYD

Petition of Bernice E. Boyd

NOTED BY CLERK

FILED

1940

STATE OF MISSISSIPPI  
COUNTY OF HANTS  
I, the undersigned, being a duly qualified and sworn  
justice of the peace for the County of Hants, State of  
Mississippi, do hereby certify that the within and  
above entitled petition was filed for record in the  
County of Hants, State of Mississippi, on the  
day of \_\_\_\_\_, 1940.

WITNESSETH MY HAND AND SEAL

THIS 10th DAY OF MAY, 1940.

STATE OF ALABAMA )

BALDWIN COUNTY )

TO ANY LAWFUL OFFICER OF THE COUNTY OF BALDWIN:

Summon Bernice E. Boyd to appear before me on the 21 day of September, 1949, at the City Hall, Foley, Baldwin County, Alabama, to answer the complaint of Dean G. Almon and Ellen D. Almon, and there make return of this summons.

WITNESS my hand this the 13 day of September, 1949.

Justice of the Peace.

DEAN G. ALMON and ELLEN  
D. ALMON,

Plaintiffs,

vs.

BERNICE E. BOYD,

Defendant

IN THE JUSTICE COURT OF  
M. R. HOWELL, JUSTICE OF  
THE PEACE, BEAT 14,  
BALDWIN COUNTY, ALABAMA.

The Plaintiffs sue to recover possession of the following tract of land situated in Baldwin County, Alabama, to-wit:

Lots 12, 13, 14, 15 and 16, in Block 3 of Southport Unit of Gulf Shores Ala. as shown on a map thereof recorded in Map Book 1 page 151 in the Probate office of Baldwin County, Alabama, including all fixtures and equipment located on said property used in the operation of a restaurant located thereon a list of said fixtures being attached hereto and made a part hereof the same as if written herein.

of which they were in possession, and upon which, pending such possession, and before the commencement of this suit the Defendant lawfully entered under a contract between the Plaintiffs and the Defendant, a copy of which is hereto attached, marked exhibit "A" and made a part hereof, and which now the Defendant, after the termination of her possessory interest, the Defendant having waived any notice required by law for the repossession of the said property, unlawfully detains, together with ONE HUNDRED (\$100.00) DOLLARS for the detention thereof.

H. M. Hall (Signed)  
Attorney for the Plaintiffs.

State of Alabama }  
Baldwin County }

This contract of purchase and sale made and entered into in duplicate this 29th day of Jan. 1949, by and between Bernice E. Boyd, hereinafter called Purchaser, and Dean G. Almon and wife Ellen D. Almon, hereinafter called Sellers;

WITNESSETH: In consideration of the premises and the mutual covenants herein contained it is agreed by and between said parties as follows;

1. The Sellers agree to sell to the Purchaser the following described property in Baldwin County Alabama;

Lots 12, 13, 14, 15, and 16 in Block 3 of Southport Unit of Gulf Shores, Ala. as shown on a map thereof recorded in Map Book 1 Page 151 in the Probate office of Baldwin County Alabama, including all fixtures and equipment located on said property used in the operation of a restaurant located thereon a list of said fixtures being attached hereto and made a part hereof the same as if written herein.

The Sellers agree to pay all taxes for the year 194\_\_, to transfer to Purchaser all insurance now in force on said property and to give Purchaser a clear title to same, all the above being contingent on this transaction being closed on or before March 28, 1949.

2. In consideration of the above Purchaser agrees to give to Sellers on the execution of this contract and as a part of the earnest money or down payment on the above property a warranty deed, subject to a mortgage thereon which Sellers agree to assume, to that certain house and lot in Birmingham, Ala. located at 2930 Norwood Blvd. and fully described in that certain warranty deed from John A. Barranco et als executed on or about March 14, 1947, and recorded in Deed Book 3876 Page 99 in the Office of the Probate Judge of Jefferson County, Alabama which full description is made a part of this instrument the same as if written herein. It is specifically understood and agreed that should this transaction fail of consumation for any fault whatsoever on the part of the Purchaser, including a failure of Purchaser's husband to execute the mortgage hereinafter provided for title to said Birmingham property shall remain in Sellers as liquidated damages for failure to carry out this contract.

Purchaser further covenants and agrees to pay the Sellers \$5,000.00 cash on or before said March 28, 1949 failing which Sellers may declare this contract void and immediately repossess said Baldwin County property and Purchaser hereby waives any notice required by law for the recovery of said possession; to pay the further sum to Sellers of \$11,000.00 in 3 equal sums represented by 3 promissory notes bearing 5 % interest payable when the principal sums are payable, the first note payable April 1, 1950, the second note payable April 1, 1952, with the right to Purchaser to pay any part or all of said \$11,000.00 at any time with interest to date of payment said notes to be secured by a First Mortgage on said property and equipment herein described; to insure said property for fire and storm in an amount equal to two-thirds of the amount of the unpaid balance; not to commit or permit waste on said property and to maintain said premises and equipment in as good condition as now exists natural wear and tear excepted. Purchaser further agrees to pay all notes on said Birmingham property through January 1949, to pay all 1948 taxes due thereon, to assign, set over and transfer all insurance now in force on said Birmingham property and to pay any

dents outstanding for alterations and repairs.

In Witness Whereof we have hereunto set our hands and seals on the date above written.

Bernice E. Boyd (Signed) L. S.

Dean G. Almon (Signed) L. S.

Ellen D. Almon (Signed) L. S.

State of Alabama )  
Baldwin County )

I, \_\_\_\_\_ a Notary Public in and for said State and County, hereby certify that Bernice E. Boyd, Dean G. Almon and wife Ellen D. Almon whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this date that, being indorned of the contents of said instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this  
29 day of Jan. 1949.

Robert M. Undine (Signed)  
Notary Public.

1 250 Gal. Butane Gas Tank  
 1 Flood Light  
 1 Neon Sign  
 1 24" Attic Fan  
 1 R.C. Allen Cash Register  
 1 Victor 23 case beverage Box (elec)  
 1 (7-Up) 13 case drink box (Elec)  
 1 Wall Cabinet  
 1 Glass Pie Case  
 1 Electric Vaculator Coffee Maker  
 1 Oasis Electric Water Cooler  
 1 Utility Table  
 1 Coffee Stand  
 24 Chairs  
 1 Baby Chair  
 11 Stools  
 1 Fountain Sink  
 1 Silverware Tray  
 5 Glass Racks  
 14 Ash Trays  
 8 Sugar Containers  
 3 Cream Containers  
 13 Salt Shakers  
 10 Pepper Shakers  
 6 Napkin Holders  
 1 Cigarette Case  
 1 Restaurant Grill with warmer  
 1 #82 Garland Range  
 1 Gas Refrigerator  
 1 Electric Refrigerator  
 1 Electric Deep Freezer, 8 ft. G. E.  
 1 9' three compartment sink with  
 side arm heater  
 1 30 Gal. Mission Hot Water Tank  
 1 Butane Gas Heater  
 4 Kitchen Tables  
 1 Scalding Rack  
 41 Table Knives  
 40 Table Forks  
 17 Cocktail Forks  
 59 Teaspoons  
 13 Ice Tea Spoons  
 11 Table Spoons  
 26 Coffee Cups  
 32 Coffee Saucers  
 71 Water Glasses  
 78 Miscellaneous Glasses  
 42 Dinner Plates  
 28 Sandwich Saucers & Plates  
 1 Glass Coffee Maker  
 2 Metal Tops for Coffee Maker  
 2 Protector Rubber Mats  
 1 Metal Ice Cream Cone Holder  
 1 Glass Ice Cream Cone Holder  
 4 Steaks Weights  
 5 Butcher Knives  
 6 Tin Pie Pans  
 8 Glass Pie Pans  
 3 Roasters  
 2 Deep Fat Fryers with baskets

5 Skillets  
 1 Dutch Oven  
 5 Sauce Pans  
 14 Miscellaneous Kitchen Tools  
 2 Egg Poachers  
 2 Bread Boxes  
 2 Potato Peelers  
 3 Strainers  
 2 Cake Pans  
 2 Platters  
 9 Butter dishes  
 37 Cereal & Dessert dishes  
 3 large bowls  
 8 serving trays  
 2 car serving trays  
 1 flour can  
 1 Pie marker  
 1 Muffin tin  
 1 Cornstick pan  
 1 grater  
 1 coffee measurer  
 1 Swing-a-way Can Opener  
 1 Biscuit pan  
 1 Large aluminum Pitcher  
 9 Refrigerator Dishes  
 1 Onion chopper  
 1 Lemon juicer  
 1 Dish Pan  
 1 Wash Pan  
 1 Wooden mop bucket with  
 step-on wringer  
 1 fly sprayer  
 1 sink plunger  
 5 menu holders  
 1 Pabst counter beer opener  
 12 Plastic Lilly Tulip cups  
 1 Calister Set  
 1 Pencil Sharpener  
 Ice Cream Scooper  
 5 Serving Tables

RECORDED





STATE OF ALABAMA §

BALDWIN COUNTY §

TO ANY LAWFUL OFFICER OF SAID COUNTY:

You are hereby commanded to restore Dean G. Almon and Ellen D. Almon, to possession of the land and tenements which Dean G. Almon and Ellen D. Almon recovered of Bernice E. Boyd, in an action of unlawful detainer before me on the 12th day of October, 1949, to-wit:

Lots 12, 13, 14, 15 and 16 in Block 3 of Southport Unit of Gulf Shores Ala. as shown on a map thereof recorded in Map Book I page 151 in the Probate office of Baldwin County, Alabama.

You are further directed, of the goods and chattels, lands and tenements, of the said Bernice E. Boyd, you cause to be made the sum of \$100.00, as damages for the detention thereof, and also the sum of \$\_\_\_\_\_, which the said Dean G. Almon and Ellen D. Almon have recovered for their costs in this behalf expended.

WITNESS my hand this 25 day of October, 1949.

M. R. Howell  
Justice of the Peace.

Executed this day  
Oct 25, 1949 by  
delivering possession of the  
within described property  
to Dean S. Almon and  
Ellen D. Almon. No further  
property was found on which  
to levy and collect judgment  
and cost

Taylor Wilkins  
Sheriff

By  
Edleigh Steadman  
Deputy Sheriff

DEAN G. ALMON and ELLEN  
D. ALMON

PLAINTIFFS

VS.

BERNICE E. BOYD

DEFENDANT

IN THE JUSTICE COURT OF

M. R. HOWELL, JUSTICE OF

THE PEACE, BEAT 14, BALD-

WIN COUNTY, ALABAMA.

Now come the Plaintiffs and amend their complaint heretofore  
filed in this cause as follows:

By striking from the second paragraph the following:

"including all fixtures and equipment located on said property  
used in the operation of a restaurant located thereon a list of  
said fixtures being attached hereto and made a part hereof the same  
as if written herein."

So that the property sued for shall be described as follows,  
the following tract of land situated in Baldwin County, Alabama,  
to-wit:

Lots 12, 13, 14, 15 and 16 in Block 3 of Southport Unit  
of Gulf Shores Ala. as shown on a map thereof recorded  
in Map Book I page 151, in the Probate office of Baldwin  
County, Alabama.

S. B. Hall  
Attorney for the Plaintiffs.

Filed.  
M. R. Howell J.P.

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

That we, BERNICE E. BOYD  
are held and firmly bound unto DEAN G. ALMON AND ELLEN D. ALMON  
in the sum of TWO HUNDRED TWENTY-FIVE and 00/100 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 BERNICE BOYD shall prosecute to  
effect an appeal by ~~her~~ taken this day to the next term of the Circuit Court of  
Baldwin County from a judgment rendered against him in favor of said DEAN G. ALMON AND  
ELLEN D. ALMON by M. R. HOWELL  
a justice of the peace for said county, for the sum of ONE HUNDRED AND 00/100  
Dollars, debt in said appeal, shall pay such judgment, both as to  
debt and costs as may be rendered against ~~her~~ by the said Justice 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 17 day of October, 19 49

Approved:

Mrs. Bernice E. Boyd (L. S.)

Bernice E. Boyd (L. S.)

M. R. Howell

J. P. (L. S.)

RECORDED

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

THE STATE OF ALABAMA  
BALDWIN COUNTY

# APPEAL BOND

JUSTICE'S COURT OF

*M. R. Howell*

*D. S. Almon*  
*Ellen B. Almon*

PLAINTIFF

VS.

*Bernice B. Boyd*

DEFENDANT

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

[illegible]

NO 1430

appealed -



STATE OF ALABAMA §

BALDWIN COUNTY §

TO: BERNICE E. BOYD.

You are hereby commanded to be and appear before me at  
10 a. m. on the 21 day of September, 1949, to answer  
to and make defense against a complaint exhibited to me by Dean  
G. Almon and Ellen D. Almon, for unlawful detainer.

WITNESS my hand this the 13 day of September, 1949.

M. R. Howell  
Justice of the Peace. Beat 14,  
Baldwin County, Alabama.

1430

9-14-49  
Executed by serving  
Copy on Defendant's  
Person B. W. Cobb  
Cont. Beat.  
14

TO HON. M. T. HORTON, JUSTICE OF THE PEACE, EAST TOWN, ALABAMA

County, Alabama

You will take note that the following order as rendered by the  
Circuit Court of Baldwin County on the 17th of 1904

"In re: John G. Almon and Alton D. Almon, Plaintiffs, vs.

James E. Howell, Defendant, in the Justice Court, East Town,

Baldwin County, Alabama.

"James E. Howell, defendant, by his attorneys and files in this case

a petition praying that a writ of prohibition be directed to the

Judge of the Peace, as Justice of the Peace in East Town, Ala-

bama, restraining and prohibiting him from exercising

jurisdiction in the aforesaid Federal case now pending in the Justice

Court of East Town, Baldwin County, Alabama, the title of the

cause being John G. Almon and Alton D. Almon, Plaintiffs vs.

James E. Howell, Defendant.

"This petition being submitted and duly examined and under-

stood by the Court, it is considered and ordered that the writ

issue to the said J. E. Howell, as Justice of the Peace of East

Town, Baldwin County, Alabama, restraining and prohibiting him

to exercise before the Circuit Court of Baldwin County, Alabama

on the 17th of 1904, any writ of prohibition

should not issue to him as prayed for in said petition.

"It is further ordered that the said J. E. Howell, Justice of

the Peace, be restrained from further proceeding in the aforesaid

Federal case as above stated until further ordered by this Court."

"And, that, in compliance to the foregoing order the writ

issue to the said J. E. Howell, Justice of the Peace,

East Town, Baldwin County, Alabama, restraining and prohibiting

him to exercise before the Circuit Court of Baldwin County, Alabama

on the 17th of 1904, any writ of prohibition should

not be issued to him as prayed for in said petition.

Done this 27th day of Sept 1904

Wm. J. Smith

Clerk of the Circuit Court,

Baldwin County, Alabama.

RECORDED

no 141 C