

H. E. MILLS

JUSTICE OF THE PEACE
PRECINCT 8

Daphne, Alabama

2000

May 27-1953

Mrs. Alice Duck
Circuit Clerk
Bay Minette, Ala.

Dear Mrs. Duck

Enclosed please find
papers on Civil, Case, D.
do not have form for
Civil Case Transcript. The
summons + Complaint was
issued, but defendant did
not appear, as summoned.
Citation notice was issued

Sincerely
H. Mills

COPIES FOR
20
4
3

GUY BROOKS,

Plaintiff,

VS.

JAMES HAWTHORNE,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

WRIT

TO THE HONORABLE H. E. MILLS, JUSTICE OF THE PEACE, BALDWIN COUNTY,
ALABAMA:

A Petition having been filed in this Court by James Hawthorne for the removal from the Court of H. E. Mills, Justice of the Peace, Baldwin County, Alabama, to this Court, of the above styled cause and an order having been made by the Honorable H. M. Hall as Judge of the Circuit Court for the removal of said cause upon the filing and approval of a bond as provided by law in the sum of \$500.00 and said bond having been filed and approved, you are now commanded to certify all the papers and proceedings in said case to the Circuit Court of Baldwin County, Alabama in accordance with the statute in such cases made and provided by the 1940 Code of Alabama, Title 7, Section 988.

WITNESS my hand this 26th day of May, 1953.

Alice L. French

Clerk.

ACCEPTANCE OF SERVICE

I, H. E. Mills, do hereby accept service of the above writ and a copy thereof.

Dated this 27 day of May, 1953.

H. E. Mills

Justice of the Peace.

Justice of the Peace.

Dated this 25 day of May, 1923.

With and a copy thereof.

I, H. E. Miller, do hereby accept service of the above

ACCEPTANCE OF SERVICE

Clerk.

James E. Miller

WITNESS my hand this 25 day of May, 1923.
of Alabama, Title 7, Section 383.

With the return in such cases made and provided by the laws code
case to the Circuit Court of Baldwin County, Alabama in accordance
are now commanded to certify all the papers and proceedings in said
sum of \$200.00 and said bond having been filed and approved, upon
upon the filing and approval of a bond as provided ^{for} in the
shall as Judge of the Circuit Court for the removal of ^{James E. Miller} ~~James E. Miller~~
styled cause and an order having been made by the Honorable ^{James E. Miller} ~~James E. Miller~~
of the Peace, Baldwin County, Alabama, to this Court, of the above
Hawthorne for the removal from the Court of H. E. Miller, Justice.
A Petition having been filed in this Court by James

WITNESS:

TO THE HONORABLE H. E. Miller, Justice of the Peace, Baldwin County.

WIT:

Defendant.

JAMES HAWTHORNE,

AS

Plaintiff.

GUY BROOKS,

AT LAW

BALDWIN COUNTY, ALABAMA

IN THE CIRCUIT COURT OF

COPY FOR

H. E. Miller

GUY BROOKS,

Plaintiff,

VS.

JAMES HAWTHORNE,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

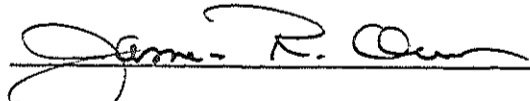
TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Now comes James Hawthorne, by his Attorney and shows unto your Honor as follows:

1. The said James Hawthorne is the Defendant in the above styled cause, which is a suit for Unlawful Detainer now pending before H. E. Mills, a Justice of the Peace for Baldwin County, Alabama; that the name of the Plaintiff in said cause is Guy Brooks and that the description of the property sued for is as follows:

South Half of Northeast Quarter of Section 24,
Township 5 South, Range 2 East, Baldwin County,
Alabama.

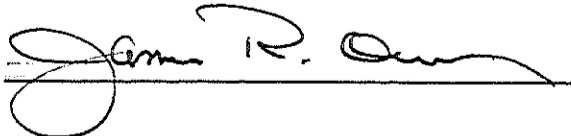
2. That the Defendant, your Petitioner, entered on the lands sued for peaceably under claim of title thereto in Orlow Brooks, and not under claim of any agreement, contract or understanding with the plaintiff or those under whom he claims. That your Petitioner bona fide desires to contest with the said plaintiff the title to said land. The premises considered, your Petitioner, moves and asks that said suit be removed from the Justice Court of H. E. Mills to the Circuit Court of Baldwin County in which court the lands sued for are situated.


Attorney for Defendant.

STATE OF ALABAMA)

BALDWIN COUNTY)

Before me, the undersigned authority, personally appeared James R. Owen, who is known to me and who by me being first duly sworn, deposes and says: That he is informed and believes and on such information and belief says that the facts stated in the above and foregoing petition are true.



Sworn to and subscribed before me on
this 22nd day of May, 1953.

Emmie Gamm

Notary Public, Baldwin County, Alabama.

The Defendant demands a trial of said
cause by jury.

James R. Dew

Attorney for Defendant.

The foregoing Petition having been presented as provided in the 1940 Code of Alabama, Title 7, Section 987, it is hereby ordered that the Clerk of said Circuit Court upon the Petitioner entering into bond in the sum of \$500.00, payable to the Plaintiff in said action with sureties to be approved by said Clerk, and conditioned to pay all costs of said suit and all damages which may be assessed in the Circuit Court against the Defendant for the rent or use and occupation of said lands and all other damages which may be assessed against the Defendant for the rent or use and occupation of said lands and all other damages which may be assessed against the Defendant in the event the Plaintiff should recover in said cause, to issue a writ directed to the Justice Court of H. E. Mills, commanding him to certify all the papers and proceedings in said case to the Circuit Court of Baldwin County, Alabama.

ORDERED, ADJUDGED AND DECREED this 22nd day of May, 1953.

Hubert M. Hall

Judge.

2000

PETITION FOR REMOVAL

GUY BROOKS,

Plaintiff,

VS.

JAMES HAWTHORNE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

FILED

MAY 22 1953

ALICE J. DUCK, Clerk

STATE OF ALABAMA)
BALDWIN COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That we James Hawthorne, as Principal, and John Lazzari and A.V. Lazzari, as sureties, are held and firmly bound to Guy Brooks in the sum of \$500.00 which sum well and truly to be paid, we bind ourselves, our heirs and personal representatives.

Signed and sealed this 25th day of May, 1953.

The condition of the above bond is such that, whereas, said principals have obtained an order from the Honorable H. M. Hall, Judge of the Circuit Court of Baldwin County, Alabama, for the transfer to the Circuit Court of Baldwin County, Alabama, of a suit of Unlawful Detainer against said principal pending in the Court of H. E. Mills of Baldwin County, Alabama, upon the giving of this bond as required by Section 988, Title 7 of the Code of Alabama 1940; now, if said petitioner pays all costs of said suit and all damages which may be assessed in said Circuit Court against the defendant for the rent or for the use and occupation of said lands and all other damages which may be assessed against the defendant in event the plaintiff should recover in said cause, then this obligation shall be null and void; otherwise to remain in full force and effect.

IN WITNESS WHEREOF, we have hereunto set our hands or caused this instrument to be executed by our duly authorized officers on this the 25th day of May, 1953.

James Hawthorne
John Lazzari
A.V. Lazzari

Approved:

Wesley J. Smith
Clerk.

NO 2000

Guy. Brooke

vs.

James Hawthorne

BOND FOR REMOVAL

GUY BROOKS,
Plaintiff,

VS.

JAMES HAWTHORNE,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

FILED
MAY 26 1953
ALICE I. BUCK, Clerk

GUY BROOKS,
Plaintiff,
VS.
JAMES HAWTHORNE,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

WRIT

TO THE HONORABLE H. E. MILLS, JUSTICE OF THE PEACE, BALDWIN COUNTY,
ALABAMA:

A Petition having been filed in this Court by James Hawthorne for the removal from the Court of H. E. Mills, Justice of the Peace, Baldwin County, Alabama, to this Court, of the above styled cause and an order having been made by the Honorable H. M. Hall as Judge of the Circuit Court for the removal of said cause upon the filing and approval of a bond as provided by law in the sum of \$500.00 and said bond having been filed and approved, you are now commanded to certify all the papers and proceedings in said case to the Circuit Court of Baldwin County, Alabama in accordance with the statute in such cases made and provided by the 1940 Code of Alabama, Title 7, Section 988.

WITNESS my hand this 26th day of May, 1953.

Alice J. Welch
Clerk.

ACCEPTANCE OF SERVICE

I, H. E. Mills, do hereby accept service of the above writ and a copy thereof.

Dated this 27 day of May, 1953.

H. E. Mills
Justice of the Peace.

2000

Received in the office
this 26 day of May 1953
TAYLOR WILKINS, Sheriff

Executed May 27.
1953 By serving
a copy of the
Writ of writ
on H. E. Mills
Justice of the peace

Taylor Wilkins
Scrip
By 1/4 7/4 all D.S.

WRIT

H. E. Mills

GUY BROOKS,
Plaintiff,

VS.

JAMES HAWTHORNE,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

BALDWIN

State of Alabama---~~Mobile~~ County

CIRCUIT COURT, OCTOBER TERM 19.....

GUY E. BROOKS,

Plaintiff,

vs.

JAMES HAWTHORNE,

Defendant,

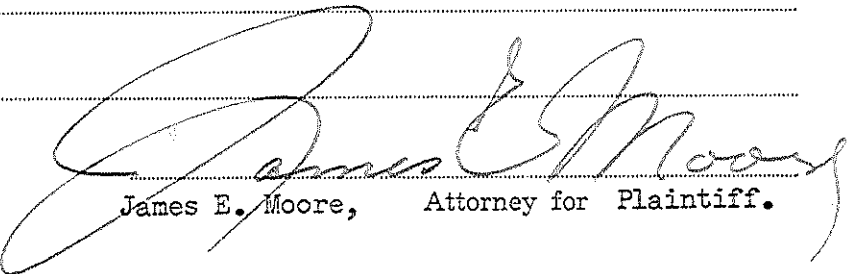
Mobile, Ala., June 5, 1953.

James E. Moore, appears for

Guy E. Brooks, the

Plaintiff
~~Defendants~~

in the above entitled cause and reserve the right to demur or plead specially.


James E. Moore, Attorney for Plaintiff.

No. 2000

APPEARANCE

Guy E. Brooks

vs.

James Hawthorne

Filed in Office

, 19

Clerk

BALDWIN

State of Alabama---Mobile County

CIRCUIT COURT, OCTOBER TERM 19

GUY E. BROOKS,

Plaintiff,

vs.

JAMES HAWTHORNE,

Defendant,

Mobile, Ala., June 5, 1953

James E. Moore,

s
appear for

Plaintiff

Guy E. Brooks, the

~~XXXXXXXX~~
Defendants

in the above entitled cause and reserve the right to demur or plead specially.

James E. Moore,

Attorney for

Plaintiff.

No. 2000

APPEARANCE

Guy E. Brooks

VS.

James Hawthorne

Filed in Office

6-4

, 1933

Alice J. Wacker

Clerk

SUMMONS AND COMPLAINT

Moore Printing Co., Bay Minette

THE STATE OF ALABAMA
Baldwin County

IN THE JUSTICE COURT OF

H. E. Meier

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

Summon

James Hawthorne
to appear before me on the *25* day of *May*, 19*53*, next, at my office in
Spanish Fort, Baldwin County, Alabama, to answer the complaint of

Guy Brooks

and then and there make a return of this summons.

Issued the

14 day of *May*, 194*53*

H. E. Meier

Justice of the Peace

COMPLAINT

Guy Brooks
Plaintiff

VS.

James Hawthorne
Defendant

The Plaintiff claims of the Defendant the sum of _____ Dollars

*2 he defendant is occupying
part of dwelling belonging
to Guy Brooks. Does not
pay any rent or make any
repairs to residence. Has
been given notice to Vacate
Residence on many occasions,
& refuses to give quiet &
peaceful possession to Guy Brooks.*

Plaintiff's Attorney

33

Executed by personal service and notice of
Garnishment _____

this _____ day of _____ 194____
_____, Constable
By _____ D. C.

No. _____ Page 1684

THE STATE OF ALABAMA
Baldwin County

In the Justice Court of _____

Term, 194____

SUMMONS AND COMPLAINT

Fred Brooks

Plaintiff

VS.

James Hawthorn

Defendant

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

_____, J. P.

Location: _____
Moore Printing Co., Bay Minette, Ala.

Executed May 24,
By serving a copy
of the writ in
and Sheriff's
notice on
James Hawthorn

Taylor Wilkins
Sheriff
St. F. Hall
D.S.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Before me

H. C. Mill - Justice of Peace

in and for Beat

8 - Daphne

Alabama, personally appeared

Guy Brooks, who having been by me first duly and legally sworn
deposes and says: My name is Guy Brooks. I am the owner of the landshereinafter described, with the improvements thereon. All His
rights to said property and his rights to the possession thereof have determined and been forfeited.I have given the said James Hawthorne notice to vacate said property but
he has failed or refused to deliver possession demanded.

The said lands being described as follows, to-wit:

The apartment or room
that James Hawthorne occupies
in my home in Belforest

Guy Brooks

Owner or Agent.

Sworn to and subscribed before me this the

14

day of

May

19

23

H. C. Mill

Beat

8

Baldwin County, Alabama.