

2035

ATTACHMENT

THE STATE OF ALABAMA, §

BALDWIN COUNTY. §

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, Jonnie Phillips hath complained on oath to me, ALICE J. DUCK, Clerk of the Circuit Court of Baldwin County, Alabama, that he did repair work on a Blue 1949, 1½ Ton Chevrolet Truck on, to-wit, January 31, 1953 and March 19, 1953, for Otto Brill, the value of the work done is ONE HUNDRED FORTY-NINE and 93/100 (\$149.93) DOLLARS, which is due and unpaid. That he claims a lien on this truck for said work. That Otto Brill sold this truck to Ray Giles, who had notice of this lien, and Jonnie Phillips having made affidavit and given bond as required by law, in such cases, you are hereby commanded to attach the above said truck according to the complaint; and such truck, so attached unless replevied, so to secure, that the same may be liable to further proceedings thereon to be had by the Circuit Court of Baldwin County, Alabama, at a term thereof, to be held at the Court House of said County, on _____ Monday of _____, 1953, next; when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 11th day of July, 1953.

Alice J. Duck
Clerk

FILED

7-11-53

ALICE J. DUCK, Clerk

Received in the
this 11 day of July 53
TAYLOR WILLIAMS

Executed July 16. 1953
By serving copy on
Ray Giles
and attaching the
within described
property

Sheriff
Taylor Williams
Edleigh Steadman

no 2035

Johnnie Phillips

vs

Otto Brill &
Ray Giles

Filed 7-11-53
Alec French
clerk

ATTACHMENT AFFIDAVIT

STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT AT BAY MINETTE, ALABAMA.

Before me, Grady P. Gilbert, Jr., a Notary Public

in and for said County, personally appeared JONNIE PHILLIPS who, being duly sworn, on oath saith: that OTTO BRILL is justly indebted to him in the sum of ONE HUNDRED FORTY-NINE and 93/100 (\$149.93) DOLLARS, which said amount is justly due after allowing all just offsets and discounts, and that JONNIE PHILLIPS did repair work on a Blue, 1949, 1½ Ton Chevrolet Truck, on, to-wit:- January 31, 1953, and March 17, 1953, for Otto Brill. The value of the repair work is ONE HUNDRED FORTY-NINE and 93/100 (\$149.93) DOLLARS, and is due and unpaid. That he claims a lien on the truck for the repair work. That Otto Brill has sold this truck to Ray Giles, who had notice of the lien, and that this Attachment is not sued out for the purpose of vexing or harassing the Defendant, or other improper motive.

Subscribed and sworn to before me this 9th day of July, 1953.



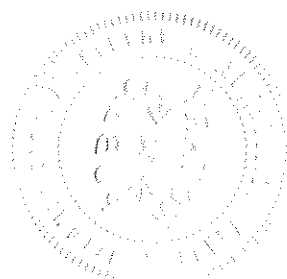
Official N.P., Baldwin Co. Ala.

FILED

7-11-53

ALICE J. DUCK, Clerk

no 2034



Filed
7-11-53
Avery French
clerk

ATTACHMENT BOND

THE STATE OF ALABAMA

CIRCUIT COURT AT BAY MINETTE, ALABAMA.

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, that We, Jonnie Phillips, and Tulley
Arnett, d/b/a Robertsdale Welding Shop, Robertsdale, Alabama, and H.L. Brooks
of the County of Baldwin, State of Alabama are held and firmly bound unto Ray Giles
in the sum of THREE HUNDRED (\$300.00) DOLLARS, to be paid to the said Ray Giles his
heirs, executors, administrators, or assigns, for which payment, 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, firmly by these presents.

Sealed with our seals and dated the 9th day of July, 1953.
THE CONDITION OF THIS OBLIGATION IS SUCH:

That Whereas, the above bounden Jonnie Phillips has on the day of the date
hereof, prayed an Attachment against a Blue 1949 1½ Ton Chevrolet Truck on which
he did repair work for Otto Brill, who at the time of said repairs was the owner
of this truck, the value of said repair work being ONE HUNDRED FORTY-NINE and 93/100
(\$149.93) DOLLARS, which is due and unpaid. The said Jonnie Phillips claims a lien
on said truck for the aforesaid repair work. That Otto Brill sold this truck to
Ray Giles, who had notice of Jonnie Phillip's lien. And hath obtained the same,
returnable to the Circuit Court of Baldwin County:

Now, if the said Jonnie Phillips should prosecute said Attachment to effect,
and pay the said Ray Giles all such damages as he may sustain by the wrongful or
vexatious suing out said Attachment, then the above obligation to be void; otherwise
to remain in full force and effect.

And we and each of us hereby waive all rights of claims of exemption we or
either of us have now, or may hereafter have, under the Constitution and Laws of the
State of Alabama.

Signed, Sealed, and delivered the date above written.

FILED

7-11-54

ALICE J. DUCK, Clerk

Jonnie Phillips (SEAL)

Tulley Arnett (SEAL)

H.L. Brooks (SEAL)

Approved, this 11th day of July, 1953.

Alice J. Duck
Clerk

2035'

Jahrmie Phillips

vs.

Otto Brill and
Ray Giles

Bond -

ATTACHMENT BOND

REPLEVY BOND

STATE OF ALABAMA)
BALDWIN COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That we, Ray Giles, as Principal, and T. M. Moss and W. L. Hammond, as sureties are held and firmly bound unto Jonnie Phillips in the sum of \$ 1000.00 for the payment whereof we bind ourselves, our heirs, executors and administrators jointly and severally.

Given under our hands and seals this 21st day of July, 1953.

The condition of the above obligation is such that where- as a writ of attachment issued by the Circuit Clerk of Baldwin County at the suit of Jonnie Phillips against Otto Brill and Ray Giles returnable on _____ Monday of _____, 1953 next, has been placed in the hands of the Sheriff of Baldwin County and by him has been levied upon the following property, to-wit:

1 blue 1949, 1½ Ton Chevrolet Truck.

And, whereas, the said property has been delivered to Ray Giles on his entering into this bond; now, if the defendant shall fail in the action and the said T. M. Moss or W. L. Hammond sureties will return to the sheriff of said County the specific property attached and above mentioned within thirty days after judgment in said suit, then this obligation to be void, otherwise to remain in full force and effect.

X Ray Giles (SEAL)

T. M. Moss (SEAL)

W. L. Hammond (SEAL)

Taken and approved this the 21st day of July, 1953.

Taylor Wilkins
Sheriff.

FILED

7-21-53

ALICE J. DUCK, Clerk

66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891

Abstract

[illegible][illegible]

$\mathcal{H}^1(\mathbb{R}^n) \cap \mathcal{H}^1(\mathbb{R}^n) = \mathcal{H}^1(\mathbb{R}^n)$

10

LE

111

[illegible][illegible][illegible][illegible][illegible]

FILED

JUL 21 1953

ALICE J. DUCK, Clerk

JONNIE PHILLIPS,

Plaintiff,

VS.

OTTO BRILL,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

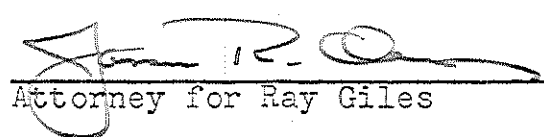
AT LAW

NO. 2035

MOTION

Now comes Ray Giles against whom a judgment was entered in the above styled cause on January 19, 1954, and moves the Court to expunge the said judgment in so far as it attempts to be against him, due to the fact that he was never served with a summons and complaint in the said cause, that the suit was not filed against him and that he did not waive service of process on him all of which appears of record in the said cause.

Dated this 24th day of November, 1954.


Attorney for Ray Giles

MOTION

JOHHIE PHILLIPS,

Plaintiff,

VS.

OTTO BRILL,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 2035

FILED

NOV 29 1954

ALICE A. BUCK, Register

JONNIE PHILLIPS,

Plaintiff,

VS.

OTTO BRILL,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2035

ORDER

This cause coming on to be heard on the motion of Ray Giles to expunge the judgment heretofore rendered in this cause against him and the said motion having been considered by the court, and it appearing to the court that the said judgment is void because the said Ray Giles was never served with a copy of the summons and complaint in said cause and that there was no complaint filed in said cause against him, it is therefore,

ORDERED, ADJUDGED AND DECREED that the said motion be granted and that the said void judgment heretofore rendered in this cause against Ray Giles is expunged from the records of this court and declared to be void in so far as it applies to Ray Giles.

ORDERED, ADJUDGED AND DECREED on this the 29 day of November, 1954.


Judge

ORDER

JONNIE PHILLIPS,

Plaintiff,

VS.

OTTO BRILL,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 2035

FILED

NOV 29 1954

ALICE J. BUCK, *[Signature]*

2035