

State of Alabama)
) Circuit Court.
 Baldwin County.)

James McDonnell Company Plaintiff,)

vs)

George B Bryant, Sheriff of Baldwin County, Alabama.)

Aaron Moog, Brodbeck and Zundell Brothers, James A. Bishop,
 Edward Brodbeck, L. T. Zundell, and Otto Zundell the sureties
 on his official bond as sheriff of Baldwin County, Defendant.

Now comes James McDonnell Company, a corporation, by its
 attorneys and shows that on the ^{22nd} day of *June* 1901,
 it filed a complaint in the Circuit Court of Baldwin County,
 Alabama, for the recovery of a ^{*debt due by Jno. C. Nelson*} ~~piece of land~~ in said County;
 that on the ^{24th} day of *June* 1901, the summons was duly
 issued upon said complaint and placed by the clerk of the Cir-
 cuit Court of said County in the hands of George B Bryant ^{*Sheriff of said County*} for
 execution, and return, according to law; movant further shows
 that the said George B Bryant is now, and was on the said
 day the sheriff of Baldwin County, Alabama and that it was
 the duty of said George B. Bryant to execute any summons or
 other mesne process which came into his hands from the Circuit
 Court of Baldwin County.

Movant further shows that Aaron Moog, Brodbeck and Zun-
 dell Brothers, James A. Bishop, Edward Brodbeck, L. T. Zundell
 and Otto Zundell are the sureties upon official bond of
 George B. Bryant as sheriff of Baldwin County, Alabama; mov-
 ant further shows that it was the duty of the said George B.
 Bryant sheriff as aforesaid to execute the said summons which
 came into his hands, on J. C. Nelson; but notwithstanding his

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said duty the said George B. Bryant sheriff as aforesaid utterly failed to execute said summons upon said J C. Nelson; movant further avers that the said sheriff could have executed said summons upon said J C. Nelson had he used due diligence to do so; movant avers that said J C. Nelson is now and was at the time said summons was placed in the hands of said sheriff a citizen of Baldwin County, Alabama and resident in said county, ~~near a place called Rayhope.~~

a Corporation
Plaintiff, James McDonnell Company, moves the Court for a summary judgment against the said George B. Bryant, sheriff of said county as aforesaid and against Aaron Moog, Brodbeck and Zundell Brothers, James A. Bishop, Edward Brodbeck, L. T. Zundell, and Otto Zundell for the sum of \$500.00 for failure of said George B. Bryant to execute said summons.

Bromberg & Hall

Attorneys for the plaintiff.

*Filed Oct 28th 1901, at
6 o'clock P.M.*

James W. Clark
Clerk