

*This Motion is dismissed in vacation
at request of Plaintiff - Dismissed
on Jan. 19th 1906.*
J. M. Volz
Clerk.

Leslie Hall,

No. 1

vs

James M. Armstrong, Sheriff of
Baldwin County, Alabama, and
the United States Fidelity and
Guaranty Company, a corporation,
~~as surety on the official bond of~~
said Armstrong, as Sheriff afore-
said.

In the Circuit Court of Baldwin
County, Alabama.

Now comes Leslie Hall and moves for a summary judgment against the
the defendant for such sum as may be ascertained by a jury of, not less
than \$50.00, nor more than \$500.00, and for cause of said motion alleges
and shows that on to-wit, the 28th day of October, 1903, a complaint was
filed by movant in the Circuit Court of Baldwin County, Alabama, against
one James D. Hand, for the recovery of the debt alleged to be due movant
from said Hand; that said complaint was in a cause wherein said movant
was plaintiff and said James D. Hand was defendant; that a summons was
duly issued on said complaint and was on the day of its issuance, placed
in the hands of said defendant, James M. Armstrong, who was then the
Sheriff of Baldwin County, Alabama, for execution upon said James D. Hand;
that the defendant, the United States Fidelity & Guaranty Company, was at
such time, and now is, the surety on the official bond of said Armstrong
as Sheriff aforesaid; that at the time said summons was placed in the
hands of said Armstrong, as Sheriff aforesaid, the said James D. Hand was
in the jurisdiction of said Circuit Court of Baldwin County, and was, in
truth and in fact, in the Court Room of the Court House of said County;
that the said James D. Hand was pointed out to the said Armstrong, as
Sheriff aforesaid, by one of the attorneys for movant, the plaintiff in
said cause, and the said attorney then urged said Armstrong, as Sheriff
aforesaid, to at once serve said summons; that said summons could have
been executed by said Armstrong, as Sheriff aforesaid, if he had used due
diligence so to do; but the said Armstrong, as Sheriff aforesaid, has
wholly failed to execute said summons.

W. H. L. Smith
Gregory L. H. J. Smith
Attorneys for Leslie Hall.

Filed Oct. 14th 1904.
J. M. Volz, Clerk.

*This motion is under
stay order paid for
Above Motion Dismissed*

Order of this motion is continued to next term of this Court

*This Motion is dismissed in vacation
at request of Plaintiff, Dismissed
on Jan. 19th 1906.*

J. M. Volz, Clerk.

Leslie Hall,

vs

James M. Armstrong, Sheriff of
Baldwin County, Alabama, and
United States Fidelity & Guar-
anty Company, as surety on the
official bond of said Armstrong
as Sheriff aforesaid.

In the Circuit Court of Baldwin County
Alabama.

Now comes Leslie Hall and moves for a summary judgment against the defendant for such sum as may be ascertained by a jury of, not less than \$50.00 and not more than \$500.00, and for cause of such motion alleges and shows as follows: that on to-wit, the 27 day of ^{August} ~~September~~ 1904 movant caused, and procured to be issued by the Clerk of the Circuit Court of Baldwin County, Alabama, a writ of attachment in the cause entitled Leslie Hall vs James D. Hand; that said writ of attachment was placed in the hands of the defendant, James M. Armstrong, as Sheriff aforesaid, for execution; that said Armstrong, as Sheriff aforesaid, was instructed to execute said writ of attachment by levying upon 998 shares of the said James D. Hand, of the capital stock of the Hand Lumber Company, a corporation, notice of such levy being given by said Sheriff to J. M. Armstrong, as Secretary of the Hand Lumber Company, and also to execute said attachment by summoning the Hand Lumber Company as garnishee; that said attachment could, by due diligence, have been executed by said Armstrong, as Sheriff aforesaid; but said Armstrong, as Sheriff aforesaid, wholly failed to execute said attachment.

Mitchell & Townsend

Gregory L. H. T. Smith

Attorneys for Leslie Hall.

Filed Oct. 24th 1904.

J. M. Volz, Clerk

*Stay granted, could
be made 1905*

(571)

Above Motion Dismissed

Oct 28 This Motion is Continued till next Term of Court

Ex Parte James Mc Armstrong
Sheriff of Baldwin County.

Comes the sheriff of Baldwin County
and moves the court to allow him to
summon four extra deputies in addition
to those allowed by law for this term
of court.

P. dated:
Oct 24th 1904

James Mc Armstrong
Sheriff Baldwin Co. Ala
by Frank Stone
Atty.

under

vs
Essendrop.

Attachment

comes the defendant
and moves the court to discharge
the levy in this cause.

Oct 24 1904

Alf Essendrop dft.
by Frank Stone
Atty

D D Mc Connell Sr
vs

The Hand Lumber company, a corporation
comes the defendant and moves
the court to tax the costs of this
case upon the plaintiff for that
the amount ~~recovered~~ in this court
is for of the judgment of appellate
court is for less than the judgment
of the justice court.

Oct 28th 1904 Frank Stone
Atty for dft.

This motion is granted for four extra deputies
for four days this 3rd day of Nov 1904
Wm. A. Davidson Judge

Refused Oct 31 1904
Wm. A. Davidson Judge