

3220

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon James R. Bruce to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of Jesse T. Burke.

Witness my hand this the ____ day of April, 1957.

Clerk

JESSE T. BURKE,

Plaintiff,

vs.

JAMES R. BRUCE,

Defendant.

§
§
§
§
§
§
§

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

COUNT ONE:

The Plaintiff claims of the Defendant One Hundred Eighty Dollars (\$180.00) as the balance of the rent due from the Defendant to the Plaintiff for the following building situated in Daphne, Baldwin County, Alabama:

Store building located within the limits of the Town of Daphne, Baldwin County, Alabama, located on the West side of Highway number 98 and known as the Old Hill Store Building

under the terms of a lease entered into by and between the Plaintiff as the landlord and the Defendant as the tenant on, to-wit, June 1, 1955, in and by the terms of which the Defendant leased said building from the Plaintiff for and during the term from the first day of June, 1955, to the first day of June, 1957 for the total rent of One Thousand Four Hundred Forty Dollars (\$1,440.00) payable Sixty Dollars (\$60.00) per month, beginning on the first day of June, 1955 and on the first day of each month thereafter during the term of the lease.

The Plaintiff further alleges that in and by the terms

LEGAL NOTICE

ATTACHMENT NOTICE
STATE OF ALABAMA,
BALDWIN COUNTY.
IN THE CIRCUIT COURT,
NO. 3220.

JESSE T. BURKE, Plaintiffs, vs.
JAMES R. BRUCE, Defendants.

WHEREAS, Jesse T. Burke as Plaintiff, in said cause, has obtained an Attachment out of this Court, issued the 24th day of April 1957, against the estate of the said defendant James R. Bruce which Attachment has been levied upon the following described real property as the property of the said defendant, to-wit:

- 1 display table with iron legs.
- 2 typewriter desk and chair.
- 5 wooden display tables.
- 1 wooden bench.
- 1 plan table and bench.
- 4 tables, plywood with iron legs.
- 1 door with Jalousie glass.
- 1 window aluminum frame with glass and screen.
- 1 42" aluminum frame Jalous. window.
- 1 set of shower sliding doors.
- 1 office desk and chair.
- PAINTS* * *
- 3 Gal. vartung outside white.
- 2 Gal. house paint primer.
- 1 Gal. porcha and marine deck enamel filing gray.
- 3 Gal. red wood finish.
- 9 Gal. satin tone latex wall paint.
- 12 1/2 multitint.
- 1 Gal. B. L. P.
- 2 Gal. Sherwin Williams (Kem-tone).
- 4 pkg. Bondex, Cement, Paint.
- 5 plastic cabinet drawer.
- 2 office chairs.
- 1 table and 2 filing cabinets.
- 1 sheet of plywood with groves-5' x 8'.
- 1 home made cabinet.
- 10 boxes of staples.
- 1 steel swivel chair.
- 11 used windows all sizes.
- 6 screen doors used all sizes.
- 5 doors used odd sizes.
- 1 glass picture window new large.
- 1 glass picture window new small with screen.
- 1 glass picture window new smaller with screen.
- 1 unfinished kitchen cabinet.
- 2 wall cabinets.
- 1 complete kitchen display.
- 3 aluminum louver small.
- 2 aluminum louver large.
- 7 boxes of Jalous glasses.
- 7 sacks mason mix.
- 1 keg 4 penny wire nails.
- 1 wall cabinet and miscellaneous hardware.
- 3 plywood doors.
- 3 panel doors.
- 6 wooden Jalous doors.
- 4 bilt well awning windows.
- 4 boxes 6" table legs.
- 2 boxes 14" tables legs.
- 3 boxes 28" tables legs.
- 1 unfinished kitchen cabinet.
- 3 6' step ladders.

THE BALDWIN TIMES

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

E. R. MORRISSETTE, JR.
EDITOR-MANAGER

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA.
BALDWIN COUNTY.

E. R. Morrisette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Burke vs. Bruce

COST STATEMENT

578 WORDS @ 5 cents \$ 28.90
I hereby certify this is correct, due and unpaid (paid).

E. R. Morrisette, Jr.
Editor.

was published in said newspaper for 3 consecutive weeks in the following issues:

reside is hereby notified of the
levy and pendency of said Attachment.

Witness my hand, this 16th day
of July, 1957.

ALICE J. DUCK,
Clerk.

28-3tc.

July 25, 1957 Vol. 69 No. 28
Aug 1, 1957 Vol. 69 No. 29
Aug 8, 1957 Vol. 69 No. 30
_____, 195____ Vol. _____ No. _____

Subscribed and sworn before the undersigned this 8 day of Aug, 1957

Dorothy Martin
Notary Public, Baldwin County

E. R. Morrisette, Jr.
Editor.

TAYLOR WILKINS

SHERIFF
BALDWIN COUNTY

Bay Minette, Alabama

LIST OF PROPERTY ATTACHED-5-22-57
JAMES R. BRUCE CO. DAPHNE, ALABAMA

- 1 display table with iron legs
- 2 typewriter desk and chair
- 5 wooden display tables
- 1 wooden bench
- 1 plan table and bench
- 4 tables, plywood with iron legs
- 1 door with Jalous glass
- 1 window aluminum frame with glass & screen
- 1 42" aluminum frame Jalous window
- 1 set of SHOWER SLIDING DOORS.
- 1 office desk and chair

PAINTS***

- 3 gal. vartung outside white
- 2 " house paint primer
- 1 " porch and marine deck enamel flint gray
- 3 gal. red wood finish
- 9 " satin tone latex wall paint
- 12½ multitint
- 1 gal B. L. P.
- 2 " Sherwin Williams (Kemtone)
- 4 pkg. Bondex, Cement, Paint
- 5 plastic cabinet drawer
- 2 office chairs
- 1 table and 2 filing cabinet

Sheriff claims 54 miles at
Ten Cents per mile Total \$ 5.40
TAYLOR WILKINS, Sheriff
BY J. W. W. DEPUTY SHERIFF

1 sheet of plywood with grooves-5' x 8'

1 home made cabinet

10 boxes of staples

1 steel swivel chair

11 used windows all size

6 screen doors used all sizes

5 doors used odd sizes

1 glass picture window new large

1 " " " " Small with screen

1 " " " " smaller with screen

1 unfinished kitchen cabinet and 2 wall cabinets

1 complete kitchen display

3 small aluminum louver

2 large " "

7 boxes of Jalous glasses

7 sacks mason mix

1 Keg 4 penny wire nails

1 wall cabinet and miscellaneous hard ware

3 plywood doors

3 panel doors

6 wooden Jalous doors

4 belt well awning windows

4 boxes 6" tables legs

2 " 14" " "

3 " 28" $\frac{1}{2}$ "

1 unfinished kitchen cabinet

3 6' step ladders

1 12' Ext. Ladder

$\frac{1}{2}$ or 1 section of 14' Ext. Ladder

1 grease filter unit

~~2 triangular louvers~~

2 triangle louvers
2 screw jacks
4 shovels
7 rolls paper felt
4 rolls rubroid roofing
13 aluminum screens
2 aluminum Jalous frames
1 36 x 72" plate glass
4 boxes metal corners 100 pieces per box
6 boxes 8" x 48" siding
13 boxes 11 1/8" x 43 7/8 25 ft. per box
10 bundles of thick butt shingles
6 boxes hard siding

ATTACHMENT

The State of Alabama, }
Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, Jesse W. Burke

hath complained on oath to me, ALICE J. DUCK, Clerk of Circuit Court of Baldwin County, Ala., that
James R. Bruce

is justly indebted to the Plaintiff Jesse W. Burke

in the sum of One hundred eighty dollars plus one hundred dollars as attorneys Fees
Dollars, and

Jesse W. Burke having made affidavit and given bond
as required by law, in such cases, you are hereby commanded to attach so much of the estate of
James R. Bruce

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such estate, 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, Ala.. at a term thereof, to be held at the Court House of said
County, on Monday of 1957
next; when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 24th day of April A. D., 1957.

Alice J. Duck Clerk.

The State of Alabama,
Baldwin County

No. 3220

CIRCUIT COURT

Term, 19__

JESSE T. BURKE

PLAINTIFFS

vs.

ATTACHMENT

JAMES R. BRUCE

DEFENDANTS

WHEREAS, JESSE T. BURKE

as Plaintiff in said cause, has obtained an Attachment out of this Court, issued the 24th day of April 1957, against the estate of the said defendant

JAMES R. BRUCE

which Attachment has been levied upon the following described

as the property of the said defendant, to-wit:

- | | |
|---|---|
| 1. display table with iron legs | 6 screen doors used all sized |
| 2 typewriter desk and chair | 5 doors used odd sizes |
| 5 wooden display tables | 1 glass picture window new large |
| 1 wooden bence | 1 " " " " small with scr |
| 1 plan table and bench | screen |
| 4 tables, plywood with iron legs | 1 " " " " smaller with |
| 1 door with Jalousie glass | screen |
| 1 window aluminum frame with glass and screen | 1 unfinished kitchen cabinet |
| 1 42" aluminum frame Jalous window | 2 wall cabinets |
| 1 set of shower sliding doors | 1 complete kitchen display |
| 1 office desk and chair | 3 aluminum louver small |
| PAINTS*** | 2 large " " large |
| 2 3 gal. vartung outside white | 7 boxes of Jalous glasses |
| 2 Gal. house paint primer | 7 sacks mason mix |
| 1 " porcha and marine deck enamel filing gray | 1 keg 4 penny wire nails |
| 3 gal red wood finish | 1 wall cabinet and misc. llaneous hardwar |
| 9 " satin tone latex wall paint | 3 plywood doors |
| 12 1/2 multitint | 3 panel doors |
| 1 gal B.L.P. | 6 wooden Jalous doors |
| 2 " Sherwin Williams (Kemtone) | 4 bilt well awning windows |
| 4 pkg. Bondex, Cement, Paint | 4 boxes 6" tables legs |
| 5 plastic cabnet drawer | 2 " 14" " " |
| 2 office chairs | 3 " 28" " " |
| 1 table and 2 filing cabnet | 1 unfinished kitchen cabinet |
| 1 sheet of plywood with groves-5' X 8' | 3 6" step ladders |
| 1 home made cabinet | 1 12" step ladder ext. |
| 10 boxes of staples | 1/2 or 1 section of 14" ext. ladder |
| 1 steel swivel chair | 1 grease filter unit |
| 11 used windows all size | 2 triangle louvers |

and whereas, it appears that the said Defendant as aforesaid ~~non-resident of the State of Alabama~~ *cannot be found after diligent search & inquiry and is believed to have left the state of Ala. in order to avoid service of process*

NOW, THEREFORE, the said James R. Bruce

wherever he may reside is hereby notified of the levy and pendency of said Attachment.

Witness my hand, this 16th day of July, 1957

Alfred J. Duck, Clerk

The State of Alabama, }
County. }

CIRCUIT COURT.

Term, 19

No. 3220 vs.

Code 1940, Tit. 11, Sec. 5

BILL OF COSTS

| CLERK'S FEES | | @ | AMOUNT | SHERIFF'S FEES | | @ | AMOUNT |
|---|--|-------|--------|--|--|------|--------|
| 1. Docketing Cause | | | 1.00 | 1. Serving and Ret. Summ. or Writ, each | | | 1.50 |
| 2. Making Copy of Summons and Complaint (over 200 words) per 100 words | | .15 | | 2. Levying Attachment, each | | | 3.00 |
| 3. Making Copy of Summons and Complaint (under 200 words) | | .30 | | 3. Entering and Returning Same, each | | | .25 |
| 4. Issuing Summons and Complaint | | 1.25 | | 4. Seizing Personal Property Under Writ of Detinue | | | 3.00 |
| 5. Entering Sheriff's Return, each | | .20 | | 5. Taking and Approving Bond, each | | | 1.00 |
| 6. Filing Papers, each | | .10 | | 6. Summon'g Garnishee, and Return, each | | | 1.50 |
| 7. Entering Appearance, each | | .20 | | 7. Serving and Ret. Sci. Fa. or Notice, each | | | 1.50 |
| 8. Issuing Subpoena for Witness, each | | .30 | | 8. Serving and Ret. Subpoenas, each | | | .65 |
| 9. Witness Certificate Issued, each | | .25 | | 9. Serving Contempt Attachment, each | | | 1.50 |
| 10. Entering Continuance, each | | .10 | | 10. Impanelling Jury | | | .75 |
| 11. Entering Order of Court | | .30 | | 11. Collecting Execution for Costs Only, each | | | 1.50 |
| 12. Issuing Notices | | .75 | | 12. Coms. for Collecting Money on Executions | | | |
| 13. Copy of Same, each | | .75 | | 13. Executing Writ of Possession, each | | | 5.00 |
| 14. Issuing Each Attachment, and Taking Bond | | 1.00 | | 14. Making Deed to Real Estate Sold, each | | | 2.50 |
| 15. Issuing Summons for Garnishee | | .50 | | Total Sheriff's Fees | | | 5.40 |
| 16. Copy of Same, each | | .50 | | SUMMARY OF FEES, COSTS, AND JUDGMENT | | | 8.40 |
| 17. Order of Publication | | .50 | | Fees and Costs in Circuit Court: | | | |
| 18. Copy of Same | | .50 | | 1. Clerk's Fees | | | 12.65 |
| 19. Swearing Garnishee | | .50 | | 2. Ex-Clerk's Fees | | | |
| 20. Administering Oath, other than Garnishee or Release Garnishee | | .25 | | 3. Sheriff's Fees | | | 8.40 |
| 21. Issuing Commission to Take Depositions | | .75 | | 4. Ex-Sheriff's Fees | | | |
| 22. Making Copy Interrogatories, deposition or otherwise, per 100 words | | .15 | | 5. Witness Fees | | | |
| 23. Filing Package of Depositions | | .10 | | 6. Commissioner's Fees | | | |
| 24. Endorsing Package Opened | | .10 | | 7. | | | |
| 25. Taking Any Bond Not Otherwise provided for | | .75 | | 8. Garnishee's Fees | | | |
| 26. Issuing Any Writ Not Otherwise Provided For | | .75 | | 9. Publisher's Fees | | | 28.90 |
| 27. Copy of Same | | .75 | | 10. | | | |
| 28. Filing Same and Entering Return | | .15 | | 11. Court Reporter's Fees, Per Day or Fraction Thereof | | 5.00 | |
| 29. Making Complete Record per 100 words | | .15 | | 12. Trial Tax | | 3.00 | 4.60 |
| 30. Making Copy of Any Paper, per 100 words | | .15 | | 13. | | | |
| 31. Every Trial and Incidents | | 1.50 | | 14. | | | |
| 32. Entering Judgment | | .50 | | 15. | | | |
| 33. Issuing Execution | | .50 | | 16. | | | |
| 34. Entering Return, per 100 words 15c but no less than | | .20 | | 17. | | | |
| 35. Certificate of Appeal | | .50 | | 18. | | | |
| 36. Record for Supreme Court, per 100 words | | .15 | | Fees and Costs in Inferior Court: | | | |
| 37. Each Copy Thereof, per 100 words | | .05 | | 19. Clerk of Inferior Court Fees | | | |
| 38. Checking and Including Transcript of Testimony | | 10.00 | | 20. Sheriff's Fees | | | |
| 39. Commissions | | | | 21. Justice of Peace Fees | | | |
| | | | | 22. Constable's Fees | | | |
| | | | | 23. | | | |
| | | | | 24. | | | |
| | | | | 25. | | | |
| | | | | Fees and Costs in Inferior Court | | | |
| | | | | 26. | | | |
| | | | | Total Fees and Costs | | | 28.00 |
| | | | | 27. Judgment | | | |
| | | | | 28. 10% Damages | | | |
| | | | | 29. Interest | | | |
| | | | | 30. | | | |
| | | | | 31. | | | |
| | | | | Total Judgment | | | |
| | | | | Total Fees, Cost, and Judgment | | | 34.45 |
| | | | | 32. | | | |
| | | | | 33. | | | |
| | | | | 34. | | | |
| | | | | 35. | | | |
| | | | | 36. | | | |
| Total Clerk's Fees | | | 12.65 | Total | | | 34.45 |

By virtue of the within execution, I did advertise the property previously attached in the case described as following for sale in the Fairhope Courier for one week and by posting notice in the town of Daphne as ordered by the court, to be sold on October 1, 1957. The property was sold to various bidders bring a total price of \$1141.80. I am handing herewith my check to Alice J. Duck in the amount of \$335.95 to cover judgment of \$280.00, interest in the amount of \$1.50 and court cost of \$54.45. I have paid \$8.68 advertising and paid Mr. Jesse T. Burke \$140.00 rent on building used to store this property in from the date of attachment to Oct. 1, 1957 date of sale. I have paid \$20.00 for labor in moving and handling this property and I have retained \$13.20 as my commission, making a total of \$517.83.

The balance of \$623.97 is being held by me pending instructions from the court.

The following is a list of the property sold:

| | |
|---------------------------------------|-------------------------------------|
| 1 display table with iron legs | 1 glass picture window new large |
| 2 typewriter desk and chair | 1 glass picture window new |
| 5 wooden display tables | small with screen |
| 1 wooden bench | 1 glass picture window new |
| 1 plan table and bench | smaller with screen |
| 4 tables, plywood with iron legs | 1 unfinished kitchen cabinet & |
| 1 door with Jalous glass | 2 wall cabinets |
| 1 window aluminum frame with | 1 complete kitchen display |
| glass & screen | 3 small aluminum louver |
| 1 42" aluminum frame Jalous | 2 large aluminum louver |
| window | 7 boxes of Jalous glasses |
| 1 set of Shower Sliding Doors | 7 sacks mason mix |
| 1 office desk and chair | 1 Keg 4 penny nails |
| Paints: | 1 wall cabinet & miscellaneous Hdd. |
| 3 gal. vartung outside white | 3 plywood doors |
| 2 gal. house paint primer | 3 panel doors |
| 1 gal porch and marine deck enamel | 6 wooden Jalous doors |
| flint gray | 4 bilt well awning windows |
| 3 gal. red wood finish | 4 boxes 6" tables legs |
| 9 gal. satin tone latex wall paint | 2 boxes 14" tables lega |
| 12½ multitint | 3 " 28" " " |
| 1 gal. B.L.P. | 1 unfinished kitchen cabinet |
| 2 gal. Sherwin Williams(Kemtone) | 3 6' step ladders |
| 4 pkg. Bondex, Cement, Paint | 1 12' Ext. Ladder |
| 5 plastic cabinet drawer | 2 or 1 sec. of 14' Ext. Ladder |
| 2 office chairs | 1 grease filer unit |
| 1 table & 2 filing cabinet | 2 triangle louvers |
| 1 sheet of plywood with groves- | 2 screw jacks |
| 5' x 8' | 4 shovels |
| 1 home-made cabinet | 7 rolls paper felt |
| 10 boxes of staples | 4 rolls rubroid roofing |
| 1 steel swivel chair | 13 aluminum screens |
| 11 used windows all sizes | 2 aluminum Jalous frames |
| 6 screen doors used all sizes | 1 36 x 72" plate glass |
| 5 doors used all sizes | 13 boxes 11 1/8" x 43 7/8 25 ft. |
| 4 boxes metal corners 100 pcs.per box | 10 bundles of thick butt |
| 6 boxes 8"x48" siding | shingles |
| | 6 boxes hard siding |

Taylor Wilkins
Taylor Wilkins, Sheriff

JESSE T. BURKE,

Plaintiff,

vs.

JAMES R. BRUCE,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 3220

ORDER

Judgment by default having this day been entered against the Defendant and in favor of the Plaintiff in the above styled cause and it appearing to the Court that the Sheriff has in his possession certain personal property belonging to the Defendant under an attachment heretofore issued out of this Court, and is holding the same subject to an order of this Court; and it further appearing to the Court that said property should be sold in order to satisfy the judgment and costs in this cause; it is therefore

ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, At Law, that the property heretofore attached by the Sheriff of Baldwin County, Alabama, in this cause on May 23, 1957, be sold at public auction at the front door of the Old Hill Store Building in Daphne, Alabama, where said property is now located, after giving notice of such sale for one week by publication in the Fairhope Courier, a newspaper of general circulation published in Fairhope, Baldwin County, Alabama, and by posting a copy of said notice in the postoffice in Daphne, Alabama.

Done this the ~~24th~~ day of September, 1957.



Circuit Judge

of said lease the Defendant agreed to pay to the Plaintiff in the event of employment of an attorney for the collection of any amount due hereunder, a reasonable attorneys fee which would become a part of the debt evidenced by the lease and the Plaintiff alleges that it was necessary that he employ Chason & Stone, attorneys at law, Bay Minette, Alabama, in order to collect the amount due under said lease and he further claims of the Defendant the sum of One Hundred Dollars (\$100.00) as a reasonable attorneys fee to be paid to said firm.

Wherefore Plaintiff brings this suit and asks judgment in the above amount.

CHASON & STONE

By:


Attorneys for Plaintiff

M 3220

RECORDED

JESSE T. BURKE,

Plaintiff,

VS.

JAMES R. BRUCE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

SUMMONS AND COMPLAINT

Received 25 day of April 1957
and on _____ day of _____ 19____

I served a copy of the within 2/0

on James R. Bruce

By service on _____

TAYLOR WILKINS

By _____ D. S.

Returned 4 day of May 1957

Not found in my county after diligent search and inquiry.

Taylor Wilkins, Sheriff

By Chadwick Deputy Sheriff

FILED

APR 24 1957

ALICE J. BUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

JESSE T. BURKE, **RECORDED**

Plaintiff,

vs.

JAMES R. BRUCE

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

ATTACHMENT AFFIDAVIT

FILED

APR 24 1957

ALICE L. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

STATE OF ALABAMA
BALDWIN COUNTY

ATTACHMENT BOND

KNOW ALL MEN BY THESE PRESENTS that we, Jesse T. Burke

and the undersigned as sureties, are held and firmly bound unto James R. Bruce in the principal sum of ~~Two Hundred~~ ^{Three} ~~Sixty Dollars (\$~~200.00~~ ^{360.00})~~

For the payment of which, well and truly to be made, we do hereby

bind ourselves and our heirs, executors and administrators, jointly

and severally by these presents.

Sealed with our seals and dated this the _____ day of April,

1957.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that where-

as the above bound Jesse T. Burke has this day sued out an attach-

ment against the above named James R. Bruce in the Circuit Court of

Baldwin County, Alabama, to enforce a landlord's lien due under a

written lease dated, to-wit: June 1, 1955; Now therefore if the said

Jesse T. Burke will prosecute the attachment to effect and pay to the

Defendant all such damages as he may sustain from the wrongful or

vexatious suing out of such attachment then this obligation to be

void and of no force and effect.

Jesse T. Burke (SEAL)

Alice J. Duck (SEAL)

(SEAL)

Taken and approved on this the
24 day of April, 1957.

Alice J. Duck, Clerk
Circuit Court of Baldwin County, Ala.

RECORDED

JESSE T. BURKE,

Plaintiff,

vs.

JAMES R. BRUCE,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

ATTACHMENT BOND

FILED

APR 24 1957

Alice L. Duck, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

ATTACHMENT

The State of Alabama, {
Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, Jesse T. Burke

hath complained on oath to me, ALICE J. DUCK, Clerk of Circuit Court of Baldwin County, Ala., that
James R. Bruce

is justly indebted to the Plaintiff Jesse T. Burke

in the sum of One hundred eighty dollars plus one hundred dollars as attorneys Fees Dollars, and

Jesse T. Burke having made affidavit and given bond
as required by law, in such cases, you are hereby commanded to attach so much of the estate of
James R. Bruce

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such estate, 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, Ala., at a term thereof, to be held at the Court House of said
County, on _____ Monday of _____ 19____
next; when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 24th day of April A. D., 1957_____

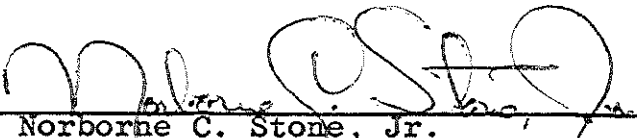
Alice J. Duck Clerk.

STATE OF ALABAMA

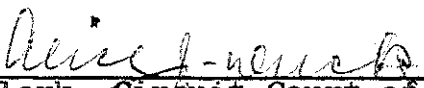
BALDWIN COUNTY

Before me, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, personally appeared Norborne C. Stone, Jr., who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That he is one of the attorneys of record for the Plaintiff in that certain cause now pending in the Circuit Court of Baldwin County, Alabama, wherein Jessie T. Burke is the Plaintiff and James R. Bruce is the Defendant. That at the time of filing of the complaint the Defendant was a resident of the State of Alabama, but that he cannot now be found in the State of Alabama, after a diligent search and inquiry and his whereabouts are unknown and cannot be ascertained. That he is informed and believes and upon such information and belief alleges that the said James R. Bruce has left the State of Alabama, in order to avoid the service of process and to prevent the service upon him of legal process in the State of Alabama.


Norborne C. Stone, Jr.

Sworn to and subscribed before me
on this the 17 day of July, 1957.


Clerk, Circuit Court of Baldwin
County, Alabama

RECORDED

Filed
7-17-57
Alvin J. French
Clerk

LAW OFFICES
CHASON & STONE
BAY MINETTE, ALABAMA

JESSE T. BURKE,

Plaintiff,

vs.

JAMES R. BRUCE,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 3220

MOTION FOR JUDGMENT BY DEFAULT

Comes now the Plaintiff in the above styled cause, by his attorneys, and moves this Honorable Court to enter a judgment by default against the Defendant and in favor of the Plaintiff for the amount sued for in the complaint and the costs in this cause expended and as grounds therefor says as follows:

1. That this suit was begun by attachment on April 24, 1957, and the Summons and Complaint were filed on that date. That on said date the Clerk of this Court issued a Writ of Attachment and on the 23rd day of May, 1957, the Sheriff of Baldwin County, Alabama, levied on certain personal property belonging to the Defendant as shown by his return in this cause. That thereafter on the 16th day of July, 1957, an attachment notice was issued by the Clerk of this Court and the same was published once a week for three consecutive weeks in the Baldwin Times, a newspaper of general circulation published in Bay Minette, Baldwin County, Alabama, in the issues of said newspaper dated July 25th, August 1st and August 8th, 1957. That more than thirty (30) days have elapsed since the date of the last publication hereinabove referred to and the Defendant has failed to plead, answer or demur to the Bill of Complaint.

Respectfully submitted,

CHASON & STONE

By: 

JESSE T. BURKE,

Plaintiff,

vs.

JAMES R. BRUCE,

Defendant.

X
X
X
X
X
X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 3220

MOTION FOR JUDGMENT BY DEFAULT

Comes now the Plaintiff in the above styled cause, by his attorneys, and moves this Honorable Court to enter a judgment by default against the Defendant and in favor of the Plaintiff for the amount sued for in the complaint and the costs in this cause expended and as grounds therefor says as follows:

1. That this suit was begun by attachment on April 24, 1957, and the Summons and Complaint were filed on that date. That on said date the Clerk of this Court issued a Writ of Attachment and on the 23rd day of May, 1957, the Sheriff of Baldwin County, Alabama, levied on certain personal property belonging to the Defendant as shown by his return in this cause. That thereafter on the 16th day of July, 1957, an attachment notice was issued by the Clerk of this Court and the same was published once a week for three consecutive weeks in the Baldwin Times, a newspaper of general circulation published in Bay Minette, Baldwin County, Alabama, in the issues of said newspaper dated July 25th, August 1st and August 8th, 1957. That more than thirty (30) days have elapsed since the date of the last publication hereinabove referred to and the Defendant has failed to plead, answer or demur to the Bill of Complaint.

Respectfully submitted,

CHASON & STONE

By: 

JESSIE T. BURKE,

Plaintiff,

VS.

JAMES R. BRUCE,

Defendant.

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BALDWIN COUNTY, ALABAMA

AT LAW

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MOTION FOR JUDGMENT BY DEFAULT

FILED

SEP 21 1957

ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA