

3655

SUMMONS

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commended to summon DANA DUGGER, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, Alabama, at the place of holding same by B. L. POLK.

Witness my hand this the 17 day of September, 1958.

Arice J. Neuse
CLERK

CC

COMPLAINT

B. L. POLK,)	
)	
PLAINTIFF)	
)	IN THE CIRCUIT COURT OF
VS:)	
)	BALDWIN COUNTY, ALABAMA
DANA DUGGER)	
)	AT LAW
DEFENDANT)	

COUNT I:

The plaintiff claims of the defendant SEVEN HUNDRED TWELVE & 00/100 DOLLARS (\$712.00), due from him by account, on to wit: the 1st day of June 1957, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The plaintiff claims of the defendant SEVEN HUNDRED TWELVE & 00/100 DOLLARS (\$712.00), due from him on account stated between the plaintiff and the defendant on, to wit: the 1st day of June, 1957, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The plaintiff claims of the defendant SEVEN HUNDRED TWELVE & 00/100 DOLLARS (\$712.00), due from him for merchandise, goods and chattels sold by the plaintiff to the defendant on, to wit: the 1st day of June, 1957, which sum of money, with interest thereon, is still unpaid.

There is attached to the original hereof, an itemized statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the 16th day of September, 1958.

The defendant's address is:
Foley, Alabama

James C. Allen
Attorney for Plaintiff

OFFICE OF THE CLERK OF THE COURT

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

IN RE: THE ESTATE OF JAMES H. HARRIS, DECEASED

AND THE ESTATE OF JAMES H. HARRIS, DECEASED, BY HIS WILL, AS TO THE RESIDUE OF HIS ESTATE, TRUSTEES OF THE HARRIS TRUST, PLAINTIFFS, VS. JAMES H. HARRIS, DECEASED, BY HIS WILL, AS TO THE RESIDUE OF HIS ESTATE, TRUSTEES OF THE HARRIS TRUST, DEFENDANTS.

Filed for record this 15th day of September, 1959.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Court at Washington, D.C., this 15th day of September, 1959.

Sept. 15, 1959

We the jury rule in favor of the Plaintiff.
And award the damages at \$350.00

John T. Carson

Subscribed and sworn to before me this 15th day of September, 1959, at Washington, D.C.

Notary Public for the District of Columbia

Attest:

By the Clerk of the Court

AFFIDAVIT

THE STATE OF ALABAMA,)

BALDWIN COUNTY.)

B. L. POLK, being duly sworn, deposes and says as follows:
My name is B. L. POLK and I am the grower of cut flowers and bulbs
P. O. Box 1604. During the months of April and May, 1957, I sold
Dana Dugger 3,468 dozen of gladiolus at 25¢ per dozen for a total
of \$867.00, of this he has paid only \$155.00 leaving a balance of
\$712.00. I do hereby certify that after all just credits due, the
amount of \$712.00 was due on June 1, 1957. This is the present
balance.

B. L. Polk

Sworn to and subscribed before me,
this the 16th day of September, 1958.

James C. Cline
Notary Public
Baldwin County, Ala.

B. L. POLK

GROWER OF

Cut Flowers and Bulbs

P. O. BOX 1604

FOLEY, ALABAMA

195

Com Ey A

M.

Dana Duggan

glad

B43

B. L. POLK

GROWER OF

Cut Flowers and Bulbs

P. O. BOX 1604

FOLEY, ALABAMA,

11. 13-

195 *7*

M. _____

glads.

3. 91

Don't forget

B. L. POLK

GROWER OF

Cut Flowers and Bulbs

P. O. BOX 1604

FOLEY, ALABAMA

4/19/59

195

M.

Dana Rogers

gladi

489

B. L. POLK

GROWER OF

Cut Flowers and Bulbs

P. O. BOX 1604

FOLEY, ALABAMA.

4/18/57

195

M.

Anna Duggan

glads

2-30

Anna Duggan

B. L. POLK

GROWER OF

Cut Flowers and Bulbs

P. O. BOX 1604

FOLEY, ALABAMA 4/19/57 195

M. Dana Dwyer

glads

Dana Dwyer

257
268

B. L. POLK

GROWER OF

Cut Flowers and Bulbs

P. O. BOX 1604

FOLEY, ALABAMA, April 20, 1957

Mrs. Florene Dugger

~~1 doz~~ g

~~140~~ doz glads

136

Florene Dugger

B. L. POLK

GROWER OF

Cut Flowers and Bulbs

P. O. BOX 1604

FOLEY, ALABAMA

4/22/57

195

M

Don't know

glads

Don't know

317

B. L. POLK

GROWER OF

Cut Flowers and Bulbs

P. O. BOX 1604

FOLEY, ALABAMA,

4/23/57

195

M

cald storge

glads

Dan Kisson

4 76

$$\begin{array}{r} 37 \\ 30 \\ 11 \\ \hline 78 \end{array}$$

B. L. POLK

GROWER OF

Cut Flowers and Bulbs

P. O. BOX 1604

FOLEY, ALABAMA, 4 2 10, 1957

M. Cold Storage

Large and Small y. lds.	341
	378
Total	4.19
Color	
D. D. D. D. D.	

B. L. POLK

GROWER OF

Cut Flowers and Bulbs

P. O. BOX 1604

FOLEY, ALABAMA.

4-30

195

7

M. _____

2.15

B. L. POLK

GROWER OF

Cut Flowers and Bulbs

P. O. BOX 1604

FOLEY, ALABAMA

5/3/57

195

M.

Cold Storage

101 doz. Black

Doyle Nigger

total

3	43
3	91
4	78
2	32
2	48
1	34
3	17
4	96
4	19
2	15
1	01

3 4 68

Received 17 day Sept 1958
and on 3 day Oct 1958

I served a copy of this
on Dana Dugger

By service on _____

TAYLOR WILKINS, Sheriff
By Forrest A. Christian D. S.

Foley

Sheriff claims 7 1/2 miles at

Ten Cents per mile Total 7.50

TAYLOR WILKINS, Sheriff

BY Forrest A. Christian
DEPUTY SHERIFF

No. 3655

SUMMONS AND COMPLAINT

B. L. POLK

VS:

DANA DUGGER

FILED

SEP 17 1958

MADE J. DUCK, CLERK
REGISTER

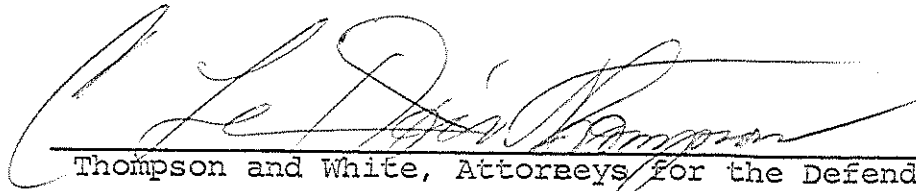
B. L. POLK
PLAINTIFF
VS.
DANNA DUGGAR
DEFENDANT

*
*
*
*
*
*
*
*

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
CASE NO. 3655

Comes now the Defendant in the above styled cause and amends
his answer hereto filed complaint to read as follows:

1. As to county one he denies the allegations thereof.
2. As to count two he denies the allegations thereof.
3. As to count three he denies the allegations thereof.
4. As to count four the defendant for answer to the said
complaint, saith that he has paid the debt, for the recovery of
which this suit was brought before the action was commenced.


Thompson and White, Attorneys for the Defendant

Filed

9-15-59

Wice J. Duck
clerk

B. L. POLK

PLAINTIFF

VS

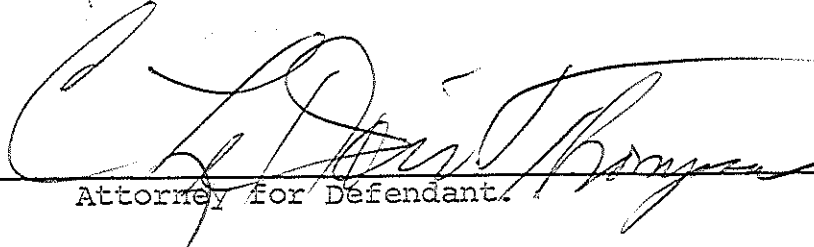
DANA DUGGER

DEFENDANT

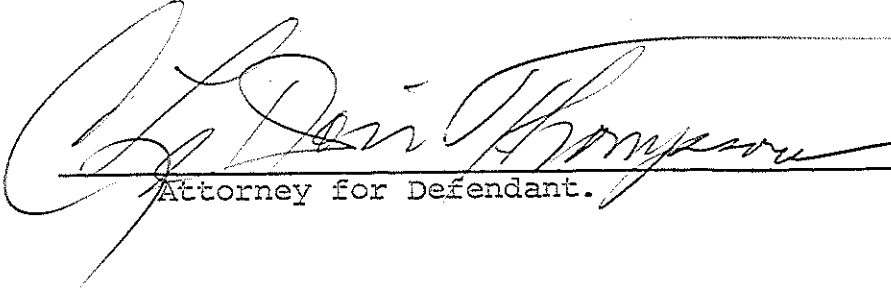
) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA.
) AT LAW.
) CASE NO. 3655
)

Comes the Defendant in the above styled cause and for answer
~~to said complaint shows unto this court as follows:~~

1. As to count one he denies the allegations thereof.
2. As to count two he denies the allegations thereof.
3. As to count three he denies the allegations thereof.


Attorney for Defendant.

Defendant respectfully request a trial by jury.


Attorney for Defendant.

Filed
10-16-58

3655'

Sup

FILED

OCT 16 1900

ALICE J. DUCK, CLERK
~~RECEIVED~~

THE STATE OF ALABAMA }
Baldwin County - Circuit Court }

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

Whereas, at a Term of the Circuit Court of Baldwin County, held on the

15th September, 1959

~~Monday~~

~~1959~~

, in a cer-

tain cause in said Court wherein B. L. POLK

Plaintiff, and

DANA DUGGER

Defendant, a judgement was rendered against said

Defendant, Dana Dugger

to reverse which Judgment, the said Dana Dugger

applied for and obtained from this office an APPEAL, returnable to the

Term of our Supreme Court of the State of Alabama, to be held at Montgomery,

on the _____ day of _____, 195____ next, and the necessary bond

having been given by the said Dana Dugger

with Ham Dugger, and Hubert Dugger, sureties,

Now, You Are Hereby Commanded, without delay, to cite the said

B.L. Polk

or

F.A. Christian

_____, attorney, to appear at the Next Term of our

said Supreme Court, to defend against the said Appeal, if they think proper.

Witness, ALICE J. DUCK, Clerk of the Circuit Court of said County, this

day of October, A. D., 1959

Attest:

Alice J. Duck Cle

Received 22 day of Oct 1952
Served a copy of the within Citation
on J.A. Winston

By service on
TAYLOR WILKINS, Sheriff
By [Signature] D.S.

[Signature]
Sheriff claims 22 miles at 20
Ten Cents per mile Total \$
TAYLOR WILKINS, Sheriff
BY [Signature] DEPUTY SHERIFF

3655-

CIRCUIT COURT
Baldwin County, Alabama

B. L. Palk

Vs. Citation in Appeal

Hana Sugar

Issued _____ day of _____, 195_____

SUPERSEDEAS BOND

Know All Men By These Presents, That we Dana Dugger and

Ham Dugger Hubert Dugger

are held and firmly bound unto B. L. Polk in the just and full sum of seven hundred (\$700.00) dollars, for the payment of which, well and truly to be made and done, 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 this _____ day of October, 1959.

The condition of the above obligation is such, that whereas, B. L. Polk obtained a verdict and judgment in the above styled cause in the Circuit Court at Law for said County, on the 15th day of September, 1959, from which judgment the said Dana Dugger has obtained an appeal returnable to the next term of the Supreme Court of Alabama.

Now, therefore, if the said Dana Dugger^e shall prosecute the said appeal to effect, and satisfy such decree as may be rendered against him in said cause by the Supreme Court, then this obligation is to be null and void, otherwise to remain in full force and effect.

And we, and each of us, hereby waive all rights to or claim of exemption as to personal property we or either of us have now or may hereafter have, under the Constitution and Laws of Alabama, and we hereby severally certify that we have property free from all incumbrance to the full amount of the above bond.

Witness our hands and seals this the _____ day of October, 1959.

Dana Dugger (L.S.)
Ham Dugger (L.S.)
Hubert Dugger (L.S.)

Taken and approved this the 114 day of October, 1959.

Alice J. Smith
Register.

B. L. POLK

PLAINTIFF

VS

DANA DUGGER

DEFENDANT

X
X
X
X
X
X
X
X
X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

JURY TERM

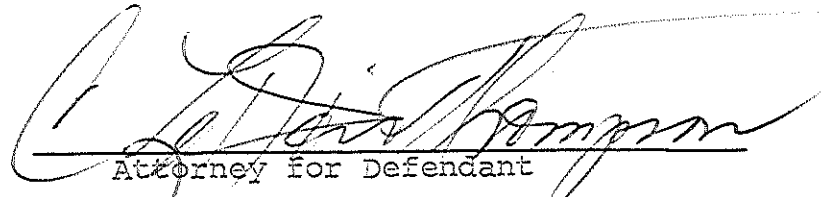
I, C. LeNoir Thompson, Attorney at Law in the above styled cause hereby acknowledge myself security for costs in the appeal of the above styled cause from the Circuit Court of Baldwin County to the Court of Appeals.

FILED

OCT 15 1951

ALICE L. DUCK

CLERK
REGISTER


Attorney for Defendant

B. L. POLK	X	IN THE CIRCUIT COURT OF
PLAINTIFF	X	BALDWIN COUNTY, ALABAMA
VS	X	AT LAW.
DANA DUGGER	X	JURY TERM
DEFENDANT	X	

Comes Dana Dugger, defendant in the above styled cause and gives notice of Appeal from the verdict of the jury and judgment of the Circuit Court rendered on the 15th day of September, 1959, to the Supreme Court of Alabama.

FILED

OCT 1

ALICE J. DUCK, CLERK
REGISTER

THOMPSON & WHITE

By:

[Signature]
Attorneys for defendant

No. 3655

Baldwin County, Circuit Court.

B.L. POLK
Plaintiff.
vs.

DANA DUGGER
Defendant.

I, Alice J. Duck Clerk of Circuit Court,
of Baldwin County, Alabama, hereby certify that in the
cause of B.L. POLK plaintiff,
vs.

DANA DUGGER defendant,
which was tried and determined in this Court on the 15th day of
September 19 59, in which there was a judgment for (\$350.00) Three
Hundred Fifty and no/100 - - Dollars, in favor of the plaintiff, (or judgment
for defendant,) the 15th ~~15th~~ 11th on the 14 ~~14~~ October day of
October 19 59, took an appeal to the Supreme Court
of Alabama to be holden of and for said State.

I further certify that Dana Dugger
filed security for cost of appeal, to the Supreme Court, on
the 11th day of October 19 59, and that Dana Dugger,
Ham Dugger and Hubert Dugger,
are sureties on the appeal bond.

I further certify that notice of the said appeal was on the 26
day of Oct 19 59, served on F.A. Christian
as attorney of record for said appellee, and that the amount sued for
was Three Hundred Fifty and no/100 - - - Dollars. (Or certain lands)
(Or personal property.)

Witness my hand and the seal of this Court, this the 14
day of October 19 59.

Clerk of the Circuit Court of
Baldwin County, Alabama.

R. L. Colver
vs.

NO. 3655

Nanna Huggins

JURY LIST
FALL SESSION, SEPTEMBER 14, 1959

1. Schwartz, Edward J., Farmer, Elberta

2. Thames, Miley, Farmer, Robertsdale

~~3. Vines, Mack, Clerk, Bay Minette~~

4. Wallace, William, Farmer, Bay Minette

~~5. Wendley, Willard A., Newport, Bay Minette~~

~~6. Weeks, Harry J., Nurseryman, Gulf Shores~~

~~7. Weston, Herbert R., Bookkeeper, Bay Minette~~

~~8. Wren, Walter P., Fleet, Bay Minette~~

~~9. Lenz, William, Civil Service, Elberta~~

10. Little, Frank Eugene, Mechanic, Foley

11. Lunsford, Herbert L., Grower & Shipper, Foley

~~12. Malone, R., Farmer, Seminole~~

~~13. McDaniel, Schuler, Farmer, Robertsdale~~

14. Mezzaros, Michael A., Retired, Elberta

~~15. Parker, Samuel F., Jr., C.P.A., Foley~~

16. Parker, Wilburn, Farmer, Rabon

~~17. Parker, Willard, Farmer, Gulf Shores~~

18. Pittman, Henry Durwood, Farmer, Gateswood

~~19. Pluecht, Peter, Jr., Carpenter, Elberta~~

~~20. Powell, Brady L., New Port, Bay Minette~~

~~21. Quinley, Lyman, Farmer, Bay Minette~~

~~22. Resmondo, Noah, Farmer, Summerdale~~

23. Rybar, Joe, Farmer, Silverhill

~~24. Bryant, George E., Farmer, Stockton~~

~~25. Hlinka, George, Retired, Elberta~~

26. Herron, John L., Kemstrand, Bay Minette

~~27. Herron, William E., Merchant, Bay Minette~~

~~28. Hobbs, W.D., Farmer, Rosinton~~

~~29. Koehler, Charles G., Jr., Banker, Elberta~~

30. Krauss, Joseph, Retired, Elberta

~~31. Johnson, Coy L., Laborer, Bay Minette~~

~~32. Jones, Walter, Clerk, Bay Minette~~

~~33. Jones, Willie, Farmer, Bay Minette~~

~~34. Pauk, Billy, Barber, Robertsdale~~

35. Gullette, Charles, Farmer, Summerdale

~~36. Hammond, Cecil C., Truck Operator, Bay Minette~~

R. XXXX/XX/XX

D. VXX/XX/XX

m. 3.655

Polk
vs

Nugget

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE COURT OF APPEALS OF ALABAMA

October Term, 19 59

To the Clerk of the Circuit Court of Baldwin County, Greeting:

Whereas, the Record and Proceedings of the Circuit Court of said County, in a certain cause lately pending in said Court between

E. L. Polk, Appellant,

and

Dana Dugger, Appellee,

wherein by said Court, at the Term, 19, it was considered adversely to said appellant, were brought before our Court of Appeals, by appeal taken, pursuant to law, on behalf of said appellant.

Now, it is hereby certified, That it was thereupon considered by our Court of Appeals on the 30th day of June 19 60

, that the said appeal be and stand dismissed; and that it was further considered that the appellant, and Ham Dugger and Hubert Dugger

sureties on the appeal bond

pay the costs accruing on said appeal in this Court and in the Court below

Witness Charles Bricken, Jr., Clerk of the Court of Appeals of Alabama, at the Capitol, this the 30th day of June 19 60

Charles Bricken, Jr.
Clerk of the Court of Appeals of Alabama.

3653-

THE COURT OF APPEALS OF ALABAMA

October Term, 19 59

1st Div. No. 809

B. L. Polk

Appellant.....

v.

Dana Dugger

Appellee.....

From Baldwin Circuit Court

CERTIFICATE OF DISMISSAL

Dismissed for want of prosecution

The State of Alabama,

Baldwin County.

} Filed

this 1 day of July 1962

W. J. Duck

DUM FROM THE ...
 LAW OFFICE OF
 ST A. CHRISTIAN
 OLEY, ALABAMA

Total yards Received
 3396 dozen

54 x 3396 = \$849.00

less paid

155.00
~~\$694.00~~

gens interest
 at 6%

on 11957 to
 on 1-1959

83.28
~~\$777.28~~

Total due
 with two
 600 interest

.00 T

3.43
 3.91
 4.78
 2.32
 2.68
 1.36
 3.17
 4.96
 4.19
 2.15
 1.01
 33.96 T.

254 x 3396 =
 \$849.00
 less 155.00
 paid 694.00 bal due