

KENNETH COOPER  
ATTORNEY AT LAW  
109 EAST 1ST STREET  
BAY MINETTE, ALABAMA  
TELEPHONE 7412

4001

6 October 1959

Mr R. E. Sears  
1210 N. 48th Ave.,  
Pensacola, Fla.

Re: R. E. Sears, Plaintiff,  
Vs.  
David A. Gwin, d/b/a  
Gwin Dreging Company

Dear Mr Sears:

As your wife no doubt has informed you, I called your home this morning to ascertain if Mr Gwin had paid his account to you for your labor lien, which he said he had paid in Pensacola yesterday. Your wife confirmed that she had just learned it had been paid and she was about to call me and advise me thereof.

Of course, I do not recall that you mentioned anything yesterday in our conversations about having filed a claim for the same wages in a Pensacola court. It came as a complete surprise to me. The only thing I could do was to dismiss the lien which you had attached to the drege. However, since Mr Gwin had paid the account in Pensacola, he could not be made to pay the costs here too. But he did agree to pay one-half of the costs. By the attached Cost Bill you will see the total costs in your case, #4001, was \$31.35. Will you therefore please forward a Cashier's check or Money Order to Mrs Alice J. Duck, Clerk, Circuit Court, Bay Minette, Alabama, for your one-half of the costs, or \$15.67?

As for myself, my fees were to have been 25% of the amount collected, with \$15.00 down payment. In view of the fact you will have to pay one-half the court costs, I am going to let me fee still be the \$15.00 which I told you would be the downpayment. Otherwise my fee would have been \$35.00 by Mr Gwin having paid off in the Pensacola court. You may remit my fee by money order or check.

I appreciate your business, and if I can be of any service to you in the future I shall be glad to help you.

Very truly yours,

*Kenneth Cooper*  
Kenneth Cooper  
Attorney at Law

THE STATE OF ALABAMA }  
Baldwin County

CIRCUIT COURT AT BAY MINETTE, ALA.

KNOW ALL MEN BY THESE PRESENTS, That We, \_\_\_\_\_

\_\_\_\_\_, of the County of Baldwin \_\_\_\_\_

are held and firmly bound unto \_\_\_\_\_

in the sum of \_\_\_\_\_ Dollars, to

be paid to the said \_\_\_\_\_ 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 \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

The Condition of this Obligation is such:

That whereas, the above bounden \_\_\_\_\_ ha \_\_\_\_\_, on the day of the date

hereof, prayed an Attachment at the suit of \_\_\_\_\_

\_\_\_\_\_ against the estate of above named

for the sum of \_\_\_\_\_ Dollars, and hath obtained the same, returnable to the Circuit Court of Baldwin County:

Now, if the said \_\_\_\_\_

should prosecute said Attachment to effect, and pay the said Defendant all such damages as \_\_\_\_\_ 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.

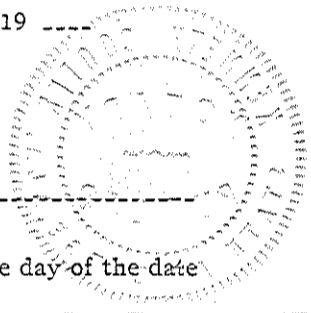
And we and each of us hereby waive all rights of claims of exemption we or either of us have now, or may hereafter have, under the Constitution and Laws of the State of Alabama.

Signed, Sealed, and delivered the date above written.

\_\_\_\_\_. (Seal)  
\_\_\_\_\_. (Seal)  
\_\_\_\_\_. (Seal)  
\_\_\_\_\_. (Seal)

Approved, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_, Clerk



THE STATE OF ALABAMA }  
Baldwin County }

CIRCUIT COURT AT BAY MINETTE, ALABAMA

Before me, KENNETH COOPER

in and for said County, personally appeared R. E. SEARS,

who, being duly sworn, on oath saith that DAVID A. GWIN, d/b/a Gwin

Dredging Company

justly indebted to

the said R. E. SEARS

in the sum of TWO HUNDRED Dollars,

which said amount is justly due after allowing all just offsets and discounts, and that the said

and that this Attachment is not sued out for the purpose of vexing or harassing the Defendant, or other improper motive.

*RC Sears*

Subscribed and sworn to before me this 5th day of October, 19 59

*Kenneth Cooper*  
Kenneth Cooper



No. 4001 Page \_\_\_\_\_

STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT  
At Bay Minette, Ala.

TO \_\_\_\_\_

ATTACHMENT BOND AND AFFIDAVIT

FILED

Filed this the OCT 5 1959 day \_\_\_\_\_

of ALICE J. DUCK CLERK 19 \_\_\_\_\_ REGISTER

\_\_\_\_\_, Clerk

\_\_\_\_\_, Attorney

The State of Alabama, }  
Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, R. E. SEARS

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

DAVID A. GWIN, d/b/a GWIN DREDGING COMPANY

is justly indebted to the Plaintiff R. E. SEARS, ~~XXXXXX~~

in the sum of TWO HUNDRED Dollars, and

said R. E. SEARS having made affidavit and given <sup>no</sup> ~~bond~~ out of state,  
as required by law, in such cases, you are hereby commanded to attach so much of the ~~estate~~  
personal property of DAVID A, GWIN, d/b/a Gwin Dredging Company,

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 5th day of October A. D., 1959.

Alice J. Duck Clerk.

# Notice of Levy on Real Estate

~~R. E. SEARS~~ Plaintiff,

vs.

David A. Gwin, d/b/a Gwin

~~Dredging Company,~~ Defendant

Baldwin County Circuit Court

To W. R. STUART Judge of Probate, Baldwin County, Alabama:

Notice is hereby given that under a Writ of ~~attachment~~

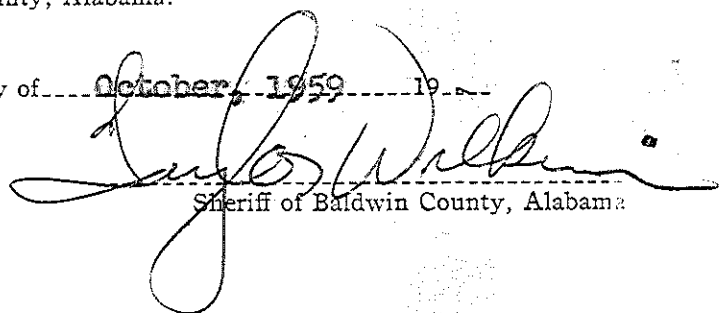
issued in favor of the Plaintiff in above entitled cause, I have levied on the following described property

of said Defendants, described as follows, viz : ~~One steel haul barge, without serial number, size 39 1/2 feet by 20 feet, with "A" frame on each end, with 16 foot ladder on the bow and with two spuds on the~~

~~stern, equipped with: one Thomas 8" pump, two GMC Diesel engines, Motor numbers 6-71100621 and 6 71102855, and quad. reduction gears; one haul-in gear; one Wilson 300 amp welder, engine No. 1099641, w/ with leads; one John Deere 2 cycle gasoline engine, Ser No. 91138; one Chrysler engine, with reduction unit, Ser No. 1245-21596; two pieces of 30 feet aluminum shore pipe; eight ten-foot pieces of shore pipe, with eight connection and sleeves for the shore pipe; one 40 feet light 8" mild steel pipe, scheule 40; two 20 feet lengths 8" mild steel pipe, schedule 40; one 12 volt Delco storage battery, and two six volt storage, Delco batteries; two fire extinguishers, one Ox-Acetylene welding torch, with two regulators and 25 feet welding hose; one box assorted tools; and one 6 inch vice; and one two-wheeled triler used for welder.~~

The above described Real Estate being in Baldwin County, Alabama.

Given under my hand this 5th day of October, 1959 1959

  
Sheriff of Baldwin County, Alabama

# Notice of Levy on Real Estate

R. E. SEARS ..... Plaintiff,

vs.

David A. Gwin, d/b/a Gwin  
Dredging Company, ..... Defendant

Baldwin County Circuit Court

To W. R. STUART ..... Judge of Probate, Baldwin County, Alabama:

Notice is hereby given that under a Writ of attachment .....

issued in favor of the Plaintiff in above entitled cause, I have levied on the following described property

of said Defendants, described as follows, viz : ..... One steel haul barge, without serial number, size 39½ feet by 20 feet, with "A" frame on each end, with 16 foot latter on the bow and with two spuds on the

stern, equipped with: one Thomas 8" pump, two GMC Diesel engines, Motor numbers 6-71100621 and 6 71102855, and quad. reduction gears, one haul-in gear; one Wilson 300 amp welder, engine No. 1099641, wt with leads; one John Deere 2 cycle gasoline engine, Ser No. 91138; one Chrysler engine, with reduction unit, Ser No. T245-21596; three pieces of 30 feet aluminum shore pipe; eight ten-foot pieces of shore pipe, with eight connection and sleeves for the shore pipe; one 40 feet lighth 8" mild steel pipe, scheule 40; two 20 feet lengths 8" mild steel pipe, schedule 40; one 12 volt Deleo storage battery, and two six volt storage, Debo batteries; two fire extinguishers, one Ox-Acetylene welding torch, with two regulators and 25 feet welding hose; one box assorted tools ; and one 6 inch vice ; and one two-wheeled triler used for welder.

The above described Real Estate being in Baldwin County, Alabama.

Given under my hand this 5th day of October, 1959 19

*James Walker*  
.....  
Sheriff of Baldwin County, Alabama

4001  
Sears  
vs  
Gwin

Received 9 day of Oct. 1959

and on \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

I served a copy of the within Notice

on David A. Gwin

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By \_\_\_\_\_ D. S.

Returned 7 day of Oct. 1959

Not found in my county after diligent search and inquiry.

Taylor Wilkins, Sheriff

By Charles Deputy Sheriff