

STATE OF ALABAMA

IN CIRCUIT COURT

COUNTY OF BALDWIN

AT LAW

R. E. L. CONNOLLY and EMMA F. CONNOLLY,
Plaintiffs.

vs.

JOHN F. ODELL and EDNA ODELL,
Husband and Wife, Defendants.

AFFIDAVIT FOR ATTACHMENT

Before me, G. E. Perkins, a Notary Public, in and for said county and state, personally appeared R. E. L. Connolly, who being duly sworn, on oath says: that he is one of the plaintiffs in the above entitled action and makes this affidavit on behalf of himself and his co-plaintiff; that the defendants are justly indebted to plaintiffs in the sum of One Hundred and Thirty Five (\$135.00) Dollars, as a balance due for rent of dwelling house and premises in the town of Fairhope, in said county and state, more fully described in complaint in this action and that plaintiffs claim and hold, under and by virtue of the statutes of Alabama a landlords' lien upon the goods, effects, furniture and property of the defendants situated in such dwelling house and premises, which they are seeking to foreclose and satisfy by this attachment, and that this attachment is not sued out for the purpose of vexing or harrassing the defendants or from any other improper motive but solely for the purpose of foreclosing said lien and enabling plaintiffs to secure payment of the indebtedness justly due them from the defendants.

R. E. L. CONNOLLY.

Subscribed and sworn to before me this 4th day of September, 1931.

G. E. PERKINS

Notary Public, Baldwin County, Alabama

Notary Public, Baldwin County, Alabama
G. E. BECKING

Subscribed and sworn to before me this 4th day of September, 1931.

G. E. BECKING
G. E. BECKING
Notary Public, Baldwin County, Alabama

defteness justify me from the defendants.

said lien and enabling plaintiffs to secure payment of the in-
other improper motive but solely for the purpose of foreclosing
the purpose of vexing or harassing the defendants or from and
by this attachment and that this attachment is not used out for
ing house and premises, which are seeking to foreclose and satisfy
mortgage and property of the defendants situated in such well-
situated of Alabama Baldwin County, Alabama upon the goods, effects

and that plaintiffs claim and hold under and by virtue of the
county and state, nor shall be satisfied in complaint in this section
dwelling house and premises, in the town of Fairhope, in said
thirty five (\$35.00) Dollars, as a balance due for rent of
justly indebted to plaintiffs in the sum of One Hundred and
pence of himself and his co-defendant; that the defendants are
title in the above entitled person and makes this affidavit on
who being duly sworn, on oath says: that he is one of the plain-
said county and state, personally appeared G. E. Becking,

Before me, G. E. Becking, a Notary Public, in and for

Whispering and Wife, Defendants.
JOHN B. ODELL and EDNA ODELL.

As.

Plaintiffs.

G. E. BECKING and EDNA B. CONNOLLY.

COUNTY OF BALDWIN

AT LAW

STATE OF ALABAMA

IN CIRCUIT COURT

R. E. L. CONNOLLY and
EMMA F. CONNOLLY,

Plaintiffs,

vs.

JOHN F. ODELL and
EDNA ODELL,

Defendants.

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

Comes the defendant, JOHN F. ODELL, in the above styled cause, and answering plaintiffs' complaint and each and every allegation thereof, says:

1. That the matters therein alleged are untrue.

2. Further answering plaintiffs' complaint, defendant says that he has paid the demand sued on before the commencement of this suit.

Beebe Hall

Attorneys for defendant,
John F. Odell.

Defendant demands a trial

by Jury.

Beebe Hall

Attorneys for defendant,
John F. Odell.

Filed Oct 26/93
T. J. McInerney
Clerk

STATE OF ALABAMA
COUNTY OF BALDWIN

IN CIRCUIT COURT
AT LAW

R. E. L. CONNOLLY and EMMA F. CONNOLLY,
Plaintiffs.

vs.

JOHN F. ODELL and EDNA ODELL,
Husband and Wife, Defendants.

WRIT OF ATTACHMENT

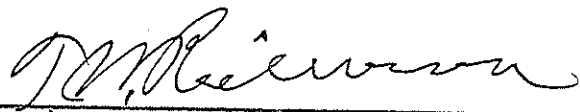
TO ANY SHERIFF OF THE STATE OF ALABAMA:

Whereas the plaintiffs, by R. E. L. Connolly, have complained on oath before me and to me, T. W. Richerson, Clerk of Circuit Court in aforesaid county and state, that the above named defendants, John F. Odell and Edna Odell, are justly indebted to the plaintiffs in the sum of One Hundred and Thirty Five (\$135.00) Dollars, as and for a balance of rent due for a certain dwelling house and premises in the town of Fairhope, Baldwin County, Alabama, and that plaintiffs claim and hold, under the statutes of Alabama, a landlords' lien on all of the goods, furniture, effects and property of the defendants which have enjoyed the protection of the premises of the plaintiffs and that plaintiffs have filed herein a good and sufficient bond of indemnity and are seeking to foreclose and satisfy said lien by attachment and sale according to statute, and

NOW, THEREFORE, YOU ARE HEREBY COMMANDED TO ATTACH so

much of the said property and estate of the defendants named as is of sufficient value to satisfy the said debt, with all legal costs, according to plaintiffs' complaint, and such property and estate, unless replevined, so to secure that the same may be subject and liable to further proceedings thereon to be had in the Circuit Court of Baldwin County, Alabama, to be holden at the Courthouse at the next convening of said Court, when and where you must make known how you have executed this Writ.

WITNESS MY HAND on this 5th day of September, 1931.


Clerk of Circuit Court.

R. E. Conneley and Emma F. Connelle

vs

John F. Odell and Edna Odell

Writ of Attachment

Issued Sept 5th, 1931.

W. R. Stuart
-Clerk.

Footnote

Executed this the 13th day of October by taking into my possession the following described personal property of John Odell and Edna Odell: One oak dresser; one white iron bed, complete; ~~consisting of the following~~ ~~one~~ one brass bed complete; two oak rockers; one oak wardrobe; one oak davenport; two mahogany straight chairs; one mahogany rocker; one oak center table; one breakfast room set of four chairs and one table; one sewing machine; one R.C.A. Radio; three congolium rugs; one oak chiffrrobe.

W. R. Stuart, Sheriff

by *J. B. Wilson* Deputy Sheriff.

[Signature]

R. E. L. CONNOLLY and
EMMA F. CONNOLLY,

Plaintiffs,

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

vs.

JOHN F. ODELL and
EDNA ODELL,

Defendants.

Comes the defendant, EDNA ODELL, in the above
styled cause, and answering plaintiffs' complaint and each
and every allegation thereof, says:

1. That the matters therein alleged are untrue.

Beebe Hall

Attorneys for defendant,
Edna Odell.

Defendant demands a trial

by Jury.

Beebe Hall

Attorneys for defendant,
Edna Odell.

Filed Oct 26/1931
D W Picman
J. H. K.

The State of Alabama, }
Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, John F. Odell and Edna Odell
Husband and wife, of Firhope, Alabama, as principals.

are held and firmly bound unto W. R. Stuart, Sheriff of Baldwin County, Alabama
in the sum of Two Hundred and Seventy
(being twice the amount of \$135.00 claimed in suit) DOLLARS,
for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, execu-
tors and administrators, jointly and severally.

Sealed with our seals and dated this 13th day of October 1931.
THE CONDITION OF THE ABOVE OBLIGATION IS

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, a Writ of Attachment issued by The Clerk of The Circuit Court of Baldwin County Alabama. at the suit of said R. E. L. Connolly and Emma F. Connolly against the estate of the above named John F. Odell and Edna Odell, Husband and wife, returnable before the said Circuit Court of Baldwin County, Alabama, Justice of the Peace as aforesaid, ~~at his office on the~~ XX for the sum of One Hundred And Thirty Five Dollars ~~135~~ 135 DOLLARS. has been placed in the hands of Sheriff

has been placed in the hands of Sheriff of Baldwin County, W. B. Stuart, ~~conservator~~
in and for the said County, and has been levied by him upon the following property, to-wit:
One oak dresser one white

One oak dresser, one white iron bed, complete, one brass bed complete two oak rockers, one oak wardrobe, one oak davenport, two mahogany straight chairs, one mahogany rocker, one oak center table, one breakfast room set, four chairs and table, one sewing machine, one RCA Radio, three congoleum rugs, one oak chiffrobe.

and whereas, the property has been delivered to the said John F. Odell and Edna F. Odell
 _____ their
 _____ on ~~his~~ entering into this bond.

NOW, THEREFORE, If the Defendant, John F. Odell

NOW, THEREFORE. If the Defendant shall fail in said action, he or his securities shall return the specific property attached and above mentioned to the said Sheriff, W. R. Stuart, Constable within ten days after judgment against said Defendant in this suit, then this obligation is to be void, otherwise to remain in full force and effect.

Taken and approved this

day of

1934

and, otherwise, to remain in full force and effect.
James P. Odell
John McNeill
H. L. Pratt
Edna Odell

(L.S.)
(L.S.)

H. Foster T. J. Champ.
J. M. Wynn

The State of Alabama
BALDWIN COUNTY

JUDICIAL CIRCUIT OF
CIRCUIT COURT AT LAW

REPLEVY BOND

VS.

Taken and approved this _____

day of _____ 193_____

STATE OF ALABAMA
COUNTY OF BALDWIN

IN CIRCUIT COURT
AT LAW

R. E. L. CONNOLLY and EMMA F. CONNOLLY,
Plaintiffs,
vs.

BOND FOR ATTACHMENT

JOHN F. ODELL and EDNA ODELL,
Husband and Wife, Defendants.

KNOW ALL MEN BY THESE PRESENTS that we R. E. L. Connolly and Emma F. Connolly as principals and M. Dyson AND E. B. Gaston, as sureties, are held and firmly bound unto John F. Odell and Edna Odell in the sum of Three Hundred (\$300.00) Dollars to be paid to said John F. Odell and Edna Odell, their heirs, executors or administrators, for w which payment well and truly be made we hereby bind ourselves, ourselves, our heirs, executors, administrators and assigns firmly by these presents.

Sealed with our seals and dated this 4th day of September, 1931.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that, whereas the above bounden R. E. L. Connolly and Emma F. Connolly have this day sued out and obtained an attachment against the property and estate of the said John F. Odell and Edna Odell, in a suit in this Circuit Court in which plaintiffs claim of defendants the sum of One Hundred and Thirty Five (\$135.00) Dollars as a balance due for rent of a certain dwelling house and premises in the town of Fairhope, in said county and state, which attachment is returnable to this Circuit Court, as required by law; now if plaintiffs shall prosecute such attachment to effect and pay to said defendants all such damages as they may sustain by the wrongful or vexatious suing out of this attachment, then this obligation, to be void, otherwise to be and remain in full force and effect.

TAKEN AND APPROVED on
this 5th day of Sept-
ember, 1931.

D. W. Ricover
Clerk of Circuit Court.

R. E. L. Connolly
Emma F. Connolly
(As Principals)
M. Dyson
E. B. Gaston
(As Sureties)

IN CIRCUIT COURT
AT LAW

CONNOLLY ET AL.

VS.

ODELL ET AL.

COMPLAINT
WITH SUBMISSIONS

AFFIDAVIT
AND
BOND

FOR ATTACHMENT

FILED ON THIS 5th DAY
OF SEPTEMBER, 1931,

J. P. Rimmer
CLERK.

EDWARD P. TOTTEY,
ATTORNEY FOR PLAINTIFFS

SHERIFF'S NOTICE OF LEVY TO DEFENDANTS.

TO JOHN. F. ODELL AND EDNA ODELL, husband and wife, DEFENDANTS:

You will please take notice that under and by virtue of a certain writ of attachment issued to me out of the Circuit Court of Baldwin County, Alabama, on the 5th day of September, 1931 at the suit of R. E. L. Connolly and Emma F. Connolly, plaintiffs, against you as defendants, I have this day levied upon and attached the following personal property belonging to you and each and both of you, to-wit: One oak dresser, one white iron bed complete, one brass bed complete, two oak rockers, one oak wardrobe, one oak davenport, two mahogany straight chairs, one mahogany rocker, one oak center table, one breakfast room set, with four chairs and table complete, one sewing machine, one RCA radio, three congoleum rugs, all contained in that certain dwelling house known and described as the Log Cabin on Delamere Street in the town of Fairhope, Baldwin County, Alabama, and you will please take further notice that all of said property is attached and held by me pending the result of such suit in the said Circuit Court of this County.

Dated this 13th day of October, 1931.

W. R. STUART, SHERIFF.

BY

J. B. Wilson

Deputy Sheriff.

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STATE OF ALABAMA
COUNTY OF BALDWIN

IN CIRCUIT COURT
AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon John F. Odell and Edna Odell, husband and wife, 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 R. E. L. Connolly and Emma F. Connolly.

Witness my hand this 5th day of September, 1931.

Residence of Defendants:
Fairhope, Alabama.

R. E. L. Connolly
Clerk of Circuit Court.

R. E. L. CONNOLLY and EMMA F. CONNOLLY,
Plaintiffs.
vs.

JOHN F. ODELL and EDNA ODELL,
Husband and Wife, Defendants.

COMPLAINT

The plaintiffs claim of the Defendants the sum of One Hundred and Thirty Five (\$135.00) Dollars, as and for the balance due for the rent of a certain dwelling house and premises described as the South 90 feet of 50 feet of the West 83 feet of Lot three, Block twelve, Division one, known as The Log Cabin on Delamere Street, in the town of Fairhope, Baldwin County, Alabama, heretofore, on to-wit: July 1st, 1928, demised by the plaintiffs to the defendants said rent commencing on the first day of July, 1928, at the rate of \$15.00 per month and ending on the 30th day of September, 1931, and plaintiffs allege that the amount so claimed as a balance is now due and owing from the defendants to the plaintiffs and that said defendants have wholly failed, neglected and refused to pay unto plaintiffs the amount of rent so due or any part thereof.

The plaintiffs claim, under and by virtue of the statutes of this state, a landlords' lien upon and against all of the goods, effects, furniture and property of the defendants which have enjoyed the protection of the above described premises during the period aforesaid, while the defendants have been in possession and occupancy of said premises, and the plaintiffs seek the foreclosure of such lien, and satisfaction thereof, by the attachment of the above described property in this action, as provided by statute, and the sale thereof in settlement of indebtedness of defendants to plaintiffs together with all legal costs therein.

Wherefore, plaintiffs ask judgment of this Court against the defendants for the sum of One Hundred and Thirty Five (\$135.00) Dollars, and for the sale of said property under the attachment to satisfy such judgment with all legal costs and charges.

Dated this 4th day of September, 1931, at Fairhope, Alabama.

Edward P. Potter
Attorney for Plaintiffs.

Circuit Court, Baldwin County

R.C.L. Connolly & Emma F. Connolly

PLAINTIFF

VS.

John F. Odell & Edna (Odell)

DEFENDANT

BILL OF COST

CLERK'S FEES		Dollars	Cts.	AMOUNT BROUGHT FORWARD		\$	Cts.
Issuing Summons and Complaint	\$1 25	1	25	Transcript to Supreme Court, 15c per hundred words			
Copies of same, when over 200 words, 15c per 100	30		30	Copies, 5c per hundred words			
Issuing Alias Summons and Complaint	1 25			Citation to Appellee in Appeal, 20c per hundred words			
Entering Sheriff's Return on Summons and Complaint	20		20	Certificate with Seal, 50c. Without Seal	25		
Docketing Cause 25c. Ent. Appearance, 20c	45		45	Witness Certificate	25		
Subpoena for Witness	30			Taking Bond Not Above Mentioned	75		
Making Certificate of Judgment	50			Entering Order of Court not above named	30		
Filing	10		10	Administering Oath	25		
Trial and Incidents	75		75	Taking Bond for Costs of Non-Resident Plaintiff	75		
Entering Judgment, or copy of same	30			Copy of any paper not above named, 15c per hundred words			
Order for Continuance	10		10	Filing Writ of Prohibition and Entering Return	15		
Issuing Execution	50		50	Issuing Writ of Prohibition	75		
Docketing Execution	25		25	Issuing copies of same, 15c per 100 words			
Issuing copy of same	50		50	Filing Mandamus and Entering Return	15		
Entering Sheriff's Return on Execution, 15c per hundred words	20		20	Issuing Writ of Mandamus	75		
Final Record, 15c per hundred words			1 50	Issuing copies of same, 15c per 100 words			
Order for Alias Summons and Complaint	30			Total Clerk's Fees			
Order to Dismiss Cause	30			SHERIFF'S FEES			
Order to Set Aside Dismissal	30			Serving and Returning Summons	2 \$1 50	3 20	
Order Overruling Motion to Set Aside Dismissal	75			Serving and Returning Subpoenas	65		
Order Granting New Trial	30			Collecting Execution for Costs	1 50	1 50	
Order Overruling Motion for New Trial	30			Serving and Returning Sci. Fa. Notice, etc.	65		
Order Overruling Motion for Continuance	30			Executing Writ of Possession	2 50		
Order Overruling Motion to Set Aside Default	30			Levying Attachment	3 00	3 20	
Order for Notice to Non-Resident Defendant	30			Entering and Returning Attachment	25	2 50	
Issuing Notice for Publication and Copy 20c per hundred words				Entering and Returning Execution	25	2 50	
Order to Give Security for Costs	30			Summoning and Returning Garnishee	1 50		
Order to Give Additional Bond	30			Taking and Approving Garnishee Bond	75		
Order to Execute Writ of Inquiry	30			Serving and Returning Writs	1 50	3 00	
Order of Sale in Attachment	30			Serving and Returning Summons on Forcible Entry	1 00		
Order for Leave to Amend Complaint	30			Executing Writ of Restitution in such cases	2 00		
Order for Leave to Amend Pleas	30			Taking and Approving Bonds of Every Kind	1 00	1 00	
Order for Leave to Amend Writ of Process	30			Taking and Approving Claim Bond	1 00		
Order for Attachment for Witness	30			Taking and Approving Forthcoming Bond	1 00		
Filing Deposition	10			Taking and Approving Bail Bond	1 00		
Issuing Commission to Take Deposition	75			Taking and Approving Plaintiff's Detinue Bond	1 00		
Issuing copy of same, per hundred words	15			Taking and Approving Defendant's Detinue Bond	1 00		
Issuing Copy of Interrogatories, 15c per hundred words, but not less than	50			Making Deed	2 50		
Endorsing each Pet. Deposition Opened	10			Serving Attachment for Contempt of Court	1 50		
Taking Bond in Garnishment on Summons	75			Collecting Money on Execution			
Summons to Garnishee	50			Empanelling Jury	75		
Copies of same, 20c per hundred words				Sheriff's Commission for Property Sold under Attachment			
Notice to Defendant in Garnishee on Summons, and copy, per hundred words	20			Seizing Personal Property on Writ of Detinue	3 00		
Swearing Garnishee and Recording Answer, 15c per hundred words, but not less than	50			Total Sheriff's Fees		12 00	
Filing Attachment	10		10	RECAPITULATION			
Issuing Attachment Writ and Taking Bond	1 00		1 00	Judgment			
Issuing Copies of Attachment Writ, 15c per hundred words				Interest			
Filing Certiorari and Entering Return	15			Clerk's Fees	5 90 - 11 - 115	7 05	
Taking Certiorari Bond and Filing Same	75			Sheriff's Fees		12 00	
Issuing Writ of Certiorari	75			Justice's Fees			
Issuing copies of same, 15c per 100 words				Constable's Fees			
Issuing Writ of Scieri Facias, or Notice in Nature of	75			Witnesses' Fees			
Issuing copies of same, 15c per 100 words				Commissioners' Fees			
Taking Supersedeas Bond and Filing same	75			Printer's Fees			
Taking Appeal Bond and Filing same	75			Stenographer's Fees	5 00		
				Answer of Garnishee			
				Trial Tax	3 00	3 00	
TOTAL FORWARDED		7 05		Total		22 05	

Received payment this _____ day of _____ 193_____

ATTEST

Clerk Circuit Court, Baldwin County, Ala,

9/14/34 - abated by death of Plaintiff -

Circuit Court, Baldwin County

No. 931151

R. C. L. Connelly et al

VS.

John F. Odell et al

Civil Cost Bill

Paid _____ 193 _____

Clerk.

STATE OF ALABAMA,
BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: That we, J. C. Grimes, as Principal, and the undersigned, as Sureties, are held and firmly bound unto Ella V. Devine and H. C. Devine, their heirs, executors and administrators, in the sum of Fifty Dollars (\$50.00) for the payment of which we bind ourselves and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 3^d day of September, 1931.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH: That Whereas, the above bound J. C. Grimes has on this the 3rd day of September, 1931, sued out of the office of the Circuit Clerk of Baldwin County, Alabama, a Writ of Detinue returnable to said Circuit Court of Baldwin County, Alabama, against the said Ella V. Devine and H. C. Devine, for the recovery of the following described property, to-wit:

One (1) dark brown mule named Robin; One (1) Black mule named George; One Gray mule named Bill; One dark bay horse named Prince; One Yellow Cow named Gernsey; One Spotted cow named Star; Eight Shoats; Two (2) International two horse cultivators; One two horse disc; One two horse wagon; One Potato digger; One two horse section harrow; One Cole corn planter; all crops of corn, cotton, potatoes and all farm products grown during the year 1931 belonging to Ella V. Devine or H. C. Devine.

Now, if the said J. C. Grimes shall fail in said suit and pay to the said Ella V. Devine and H. C. Devine, the Defendants in said Writ, all such costs and damages as they may sustain by the wrongful suing out of said Writ of Detinue, then this obligation to be void, otherwise to remain in full force and effect.

*Taken and
Approved
Sept 3rd/1931
R. McQuinn
Clerk.*

J. C. Grimes (SEAL)
W. M. Moore (SEAL)
J. M. Brown (SEAL)

STATE OF ALABAMA,
BALDWIN COUNTY.

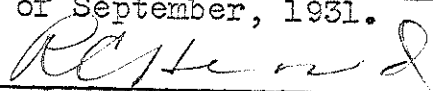
Before me, the undersigned authority, in and for said County and State personally appeared J. C. Grimes who is known to me and who after being by me first duly and legally sworn doth depose and say under oath as follows, viz:-

That his name is J. C. Grimes; that the property sued for in the Complaint of J. C. Grimes, Plaintiff, vs. Ella V. Devine and H. C. Devine, Defendants, described as follows, viz:

One (1) dark brown mule named Robin; One (1) Black mule named George; One Gray mule named Bill; One dark bay horse named Prince; One Yellow Cow named Gernsey; One Spotted cow named Star; Eight Shoats; Two (2) International two horse cultivators; One two horse disc; One two-horse wagon; One Potato digger; One two-horse section harrow; One Cole corn planter; All crops of corn, cotton, potatoes and all farm products grown during the year 1931 belonging to Ella V. Devine or H. C. Devine;

belongs to the said J. C. Grimes, the Plaintiff.

Sworn to and subscribed before me, a Notary Public whose seal is hereto affixed, this 3rd day of September, 1931.


Notary Public, Baldwin County,
State of Alabama.

On mutt all
Dec-16-1931

Received of J. L. Grimes the sum of
\$14⁹⁰ being in full for Court Costs
in Case of Grimes vs. Devereux
Now in Circuit Court

W. R. Stuart
Sheriff