JOHN SLAVIK
Plaintiff.

VS

MAGDALENA FREIDENBERG,
Defendant.

L A W.

IN THE CIRCUIR COURT OF

BALDWIN COUNTY, ALABAMA.

Comes the Plaintiff and respectfully shows that pursuant to the writ of attachment issued from this Honorable Court in the above styled case, the Sheriff of Baldwin County has levied upon certain property of the defendant and has taken in his possession, among other things, one horse and one cow, that said animals are now being held at a material daily expense for their care and feeding and that this expense, if continued until the next term of court will be so great as to practically equal the value of the stock, WHEREFORE, Plaintiff moves for an order of court under the authority of Code Section 6197 asking the sheriff to sell said horse and cow forthwith and to hold the proceeds subject to further orders of this court.

Elliott C. Rainey

Attorney for Plaintiff.

STATE OF ALABAMA.
COUNTY OF BALDWIN.

Before me, the undersigned Notary, personally appeared this day JOHN SLAVIK who, being sworn, says that the matters alleged in the foregoing motion are true.

(Signed) John Slavik

Subscribed and sworn to before me this the day of February, 1932.

(Signed) L. Lindauer

Notary Public, Baldwin County, Ala.

" "

The Plaintiff having shown to the court by affadavit that certain livestock attached by the Sheriff are being held by that official at an expense that is prejudicial to the interest of both parties to this cause, and that a sale of said livestock is desirable, and necessary:

IT IS HEREBY ORDERED that the sheriff of Baldwin County proceed forthwith to sell the horse and cow levied on by him in this cause at public outcry for cash at such place in the vicinity of Elberta, Alabama, as shall in his opinion seem best, after giving notice of the time, place and terms of sale by not less than three notices posted at the Elberta Post Office and at two other public

places in said vicinity and hold the proceeds of such sale to await the final decision of this cause.

25th Done at Bay Minette, Alabama, this the day of February, 1932.

F. W. Hare
Judge.

RECORDED

95-95-

RECORDED

THE STATE OF ALABAMA

BALDWIN COUNTY.

Personally appeared before me, the undersigned Notary, of said County, JOHN SLAVICK who makes oath and says that MAGDALENA FREIDENBERG is justly indebted to affiant in the sum of ONE HUNDRED AND THIRTY NINE DOLLARS and that said Magdalena Freidenberg is about to move out of the state so that the ordinary process of law can not be served upon her, or to remove her property out of the State so that affiant will probably lose his debt or have to sue for it in another state, and that an attachment is not sued out for the purpose of vexing or harassing her, the said MAGALENA FREIDENBERG.

John Slavick

SWORN TO and subscribed this 18th day of February, 1932.

Bernice S. Folmer
Notary Public, Baldwin County, Ala.

BERNICE S. FOLMER NOTARY PUBLIC BALDWIN COUNTY, ALA.

KNOW ALL MEN BY THESE PRESENTS, that we, John Slavick, as principal, and Alfred M. Neumann and Henry N. Gebert as sureties, of the County of Baldwin, are held and firmly bound unto MAGDALENA FREIDENBERG in the sum of TWO HUNDRED AND EIGHTY DOLLARS to be paid to the said MAGDALENA FREIDENBERG, her executors, administrators or assigns, for which payment, well and truly to be made, we bind ourselves, our heirs, executors or administrators, jointly and severally, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas, the above bounden JOHN SLAVICK hath the day of the date hereof, before the Clerk of the Circuit Court, Baldwin County, prayed an attachment at the suit of himself against the estate of the above named MAGDALENA FREIDENBERG for the sum of ONE HUNDRED THIRTY NINE DOLLARS and hath obtained the same returnable at the Circuit Court of Baldwin to be holden within thirty days from the date hereof.

Now, if the said JOHN SLAVICK shall prosecute this his attachment to effect, and pay to the said MAGDALENA FREIDENBERG all such damages as she may sustain by the wrongful or vexatious suing out thereof, then the above obligation shall be void, otherwise to remain in full force and effect.

(Over)

Sealed with our seals, and dated the 8th day of February, in the year of our Lord, One thousand, Nine Hundred and Thirty Two.

John Slavick SEAL.

~~[illegible]~~ SEAL.

Henry N. Gebert SEAL.

IN THE PRESENCE OF:

A. Nottensmeier

Taken and Approved Feb 9th /1932
J. W. Riseman
Clerk

LAW OFFICES
ELLIOTT G. RICKARBY
ROBERTSDALE, ALA.

February 9th, 1932

Mr. Thomas W. Richerson,
Clerk Circuit Court,
Bay Minette, Alabama

Dear Sir:

With this I hand you complaint and summons in the case of John Slavick vs Magdalena Freidenberg, which please file, also affidavit and bond for attachment. The sureties on this bond are the Cashier and the Assistant Cashier of the State Bank of Elberta, in whose hands the Plaintiff has left funds to cover the amount of the bond.

We understand that the defendant is selling out and expects to leave the State shortly, so will ask you to get the writ of attachment in the hands of the sheriff at your early convenience. When he goes to levy this it would be well for him to see Mr. Slavick, who lives about three miles south of Elberta, and who will go with him down toward Miflin and point out the property to be levied on, which will consist of some cattle and farming tools worth considerably over the amount of the claim and costs. The property levied on can be turned over to the Plaintiff against his receipt and I will then ask for an immediate order of sale as soon as you notify me that the levy has been made and upon what property.

Very truly yours,

Elliott G. Rickarby

R:F
413

The State of Alabama,
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA;

WHEREAS, John Slavin,

hath complained on oath to me, T. W. RICHERSON, Clerk of Circuit Court of Baldwin County, Ala., that Magdalena Freidenberg,

is justly indebeted to the Plaintiff John Slavin,

in the sum of One hundred thrity nine Dollars, and John Slavin 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 Magdalena Freidenberg,

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~~ 2nd Monday of April 1932 next; when and where you must make known to said Court how you have executed this Writ,

WITNESS, my hand, this 9th day of Februargry A. D. 1932

T. W. Richerson Clerk.

Disposed
9595

RECORDED

No.

ATTACHMENT

John Slavin

Vs. } Attachment

Magdalena Freidenberg

Issued February 9th, 1932 192

Moore Printing Co. :::: Bay Minette, Ala.

Executed Feb 10th 1932 by taking into my possession one black mare, one milk cow one wagon and harness

M R Stuart
Sheriff

SUMMONS AND COMPLAINT. (Box 608-2) 37181 MARSHALL & BRUCE CO. NASHVILLE

The State of Alabama, BALDWIN County

CIRCUIT COURT

To Any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon MAGDALENA FREIDENBERG

to appear in the Circuit Court of BALDWIN County, Alabama, at the place of holding the same and plead, answer, or demur, within thirty days from service hereof to the complaint of

JOHN SLAVICK

Witness this 9th day of February, 19 32.

T. W. Richerson, Clerk.

IF THE DEFENDANT FAILS TO APPEAR AND PLEAD, ANSWER OR DEMUR WITHIN THIRTY DAYS AFTER SERVICE THE PLAINTIFF MAY TAKE JUDGMENT BY DEFAULT.

COMPLAINT

JOHN SLAVICK	VS.	MAGDALENA FREIDENBERG
Plaintiff		Defendant

And the Plaintiff claim s of the Defendant

ONE HUNDRED

Dollars, due

by promissory note made by her on the 16th day of October, 1929, and payable ninety days after date with interest from date until paid at the rate of 6% per annum.

Plaintiff further avers that by the terms of said note the defendant waived all rights of exemption against any process that may issue for the collection of same, and further agreed to pay counsel fees incurred in the collection of the debt, which fee Plaintiff now claims in the further sum of TWENTY FIVE DOLLARS.

Elliott G. Rinaldy

Attorney for Plaintiff.

CODE 1923—9417

RECORDED Original

No.

The State of Alabama

Baldwin County

CIRCUIT COURT

JOHN SLAVICK

Plaintiff

vs.

MAGDALENA FREIDENBERG

Defendant

Summons and Complaint

Filed this day of

February, 19 19 32

M V Reeves

Clerk.

ELLIOTT G. RICKARBY

Plaintiff's Attorney.

(Box 603-2.) MARSHALL & BRUCE CO., NASHVILLE

RECORDED

Received this .... day

of ...., 19......

............, Sheriff.

Executed this 10th day

of February, 1932, by

leaving a copy of the within Summons and Complaint with

Magdalena Freidenberg

Defendant

W R Stuart

Sheriff.

The State of Alabama,

Baldwin COUNTY

To the Sheriff of Baldwin County:

~~Whereas, the Plaintiff...... in the within stated cause ha...... made affidavit and given bond as required by law, you are hereby required to take the property mentioned in the complaint into your possession, unless the Defendant...... give...... bond payable to the Plaintiff...... with sufficient surety in double the amount of the value of the property, with condition that if the Defendant~~

~~............~~

~~cost in the suit, ... within thirty days thereafter, deliver the property to the Plaintiff......, and pay all costs and damages which may accrue from the detention thereof.~~

............, Clerk.

DR. B. FRANK JACKSON
EYE, EAR, NOSE, THROAT
BELL BUILDING
MONTGOMERY, ALA. Sept. 14-1933.

To Whom It Concerns:

This certifies that Macie May, young daughter of H. H. May, of Montgomery, Ala., was operated on yesterday a.m., Sept. 13th 1933, for infected Tonsils + adenoids and that his presence was quite essential at that time.

Respectfully,

B. F. Jackson, M.D.

FORM NO. 7

Jno. F. Clark & Co.

PRIVATE WIRE

Time_____M.

Date_____

No._____

Montgomery Ala. Sept. 15, 1955

~~Honx~~ Judge Haire,

Bay Minette, Ala.

Dear Sir :

I had a summons to appear in Court there on Wednesday the 18th , wrote Jimmy Grimes that I had a sick child and was expecting her to have to be operated on and it was impossible for me to come. She was operated on yesterday as you will note from the letter from Dr. Jackson.

Yours truly

W W May

ELIVERED IN 5 DAYS RETURN TO
. F. CLARK & CO.
6 Commerce Street
ONTGOMERY, ALA.

MONTGOMERY
SEP 14
4 PM
1933
ALA.

Judge Haire,

Circuit Judge

Bay Minette, Alabama.

Filed 9/16/33

State Bank of Elberta
ELBERTA, ALABAMA

111.79 + 25.00 = 136.79

$100.00 ELBERTA, ALA., 05 16 1929

Ninety Days after date, without grace I promise to

pay to the order of John Smith

One hundred no/100 DOLLARS

For value received, payable at the STATE BANK OF ELBERTA in Elberta, Alabama.

with interest @ 8% per annum from date until paid

The parties to this instrument, whether maker, endorser, surety or guarantor each for himself, hereby severally agrees to pay this note and waives as to this debt all right of exemption under the Constitution and Laws of Alabama, or any other state, and they each severally agree to pay all costs of collecting, or securing, or attempting to collect or secure this note, including a reasonable attorney's fee, whether the same be collected or secured by suit or otherwise. And the maker, endorser, surety guarantor, of this note severally waives demand, presentment, protest, notice of protest, suit and all other requirements necessary to hold them, and they agree that time of payment may be extended without notice to them of such extension. The Bank at which this note is payable is hereby authorized to apply on or after maturity to the payment of this debt any funds in said bank belonging to the maker, surety, endorser, guarantor, or any one of them.

No. Mr Magdalena Heidenberg

Due Juner 16 [redacted]