

THE STATE OF ALABAMA, } CIRCUIT COURT OF Baldwin
BALDWIN COUNTY. } No. 9643 Judgment Final Term, 1933
Scopler Fertilizer } vs. C. W. Hayes and
Co. Corp. }

DEAR SIRS—At the _____ Term, 193____, of the above Court

recovered a judgment against _____ Dollars,

besides _____ Dollars, costs of suit and execution was duly issued thereon, commanding any Sheriff of the State that he cause to be made of the goods and chattels, lands and tenements of said _____

the amount of judgment and costs, and the Sheriff has returned said execution endorsed, "No Property Found," and the costs have not yet been paid. I herewith give below an itemized statement of the costs which have accrued in this cause, and respectfully request that you will, on receipt of this, remit the amount and save the additional expense of an execution against you. If I do not hear from you in a few days I will be forced to issue an execution for costs. Please return this with remittance. Respectfully yours,

Clerk.

CLERK'S FEES		Dollars	Cts	AMOUNT BROUGHT FORWARD		
Issuing Summons and Complaint	\$1 25	1	25	Transcript to Supreme Court, 15c per hundred words		\$10.25
Copies of same, when over 200 words, 15c; per 100	30		60	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		50	Entering Order of Court not above named	30	
Filing <u>6 papers</u>	10		60	Administering Oath	25	
Trial and Incidents	75		75	Taking Bond for Costs of Non-Resident Plaintiff	75	
Entering Judgment, or copy of same	30		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			Issuing Writ of Prohibition	75	
Docketing Execution	25			Issuing copies of same, 15c per 100 words		
Issuing copy of same	50			Filing Mandamus and Entering Return	15	
Entering Sheriff's Return on Execution, 15c per hundred words	20			Issuing Writ of Mandamus	75	
Final Record, 15c per hundred words			450	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	\$1 50	1 50
Order Overruling Motion to Set Aside Dismissal	75			Serving and Returning Subpoenas	65	
Order Granting New Trial	30			Collecting Execution for Costs	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			Levy Attachment	3 00	
Order for Notice to Non-Resident Defendant	30			Entering and Returning Attachment	25	
Issuing Notice for Publication and Copy, 20c per hundred words				Entering and Returning Execution	25	
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	
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	
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, 15c per 100 words				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, 20c per 100 words				Seizing Personal Property on Writ of Detinue	3 00	3 00
Swearing Garnishee and Recording Answer, 15c per hundred words but not less than	50			Total Sheriff's Fees		4 50
Filing Attachment	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		10.25
Taking Certiorari Bond and Filing Same	75			Sheriff's Fees		4.50
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				Commissioner's 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				Total	\$	17.75

Received Payment this _____ day of _____ 193____

ATTEST:

Clerk Circuit Court, Baldwin County, Ala.

Continued in Civil Fee Book last bill W. M. Stuenkel
10/18/33

STATE OF ALABAMA,

BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: That the Peoples Fertilizer Company, a Corporation, as principal and the undersigned, as Sureties, are held and firmly bound unto C. N. Hayes and Mary Hayes, their heirs, executors and administrators, in the sum of Twenty-five Dollars (\$25.00) for the payment of which, well and truly to be made, we bind ourselves, our and each of our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 26 day of March, 1932.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH: That, Whereas, the above bound Peoples Fertilizer Company, a Corporation, has on this day sued out from the office of the Clerk of the Circuit Court of Baldwin County, Alabama, a Writ of Detinue returnable at the next term of the Circuit Court of said County in said Court, against the said C. N. Hayes and Mary Hayes, for the recovery of the following described property, viz:-

All crops of corn, cotton, potatoes, nuts, fruits, and any and all other farm products grown by or for the Defendants during the year 1931; Also all farming implements and live stock belonging to said Defendants.

Now, if the said Peoples Fertilizer Company, a Corporation, shall fail in said suit and shall pay to the said C. N. Hayes and Mary Hayes, the Defendants in said suit, all such costs and damages as they may sustain by the wrongful Complaint, then this instrument to be void, otherwise to remain in full force and effect.

PEOPLES FERTILIZER COMPANY,
A Corporation,

By [Signature] SEAL

[Signature] SEAL

Blair Stone SEAL

Taken and approved this
26 day of March, 1932.

[Signature]
Clerk of the Circuit Court,
Baldwin County, Alabama.

PEOPLES FERTILIZER COMPANY,
A Corporation,

Plaintiff,

-vs-

C. N. HAYES and MARY HAYES,

Defendants.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

AFFIDAVIT.

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, R. C. Heard, a Notary Public
in and for said County in said State, personally appeared W. M.
Stuart, who is known to me and who after being by me first duly
and legally sworn doth depose and say under oath as follows:

That he is the President and Agent of and for the Peo-
ples Fertilizer Company, a Corporation, and as such is duly auth-
orized to make this Affidavit; that the following described pro-
perty, to-wit:

All crops of corn, cotton, potatoes, nuts,
fruits, and any and all other farm products
grown by or for the Defendants during the
year 1931; Also all farming implements and
live stock belonging to said Defendants;

for the recovery of which it has instituted suit this day in the
Circuit Court of Baldwin County, Alabama, is the property of said
Company.

Sworn to and subscribed before
me, a Notary Public whose seal
is hereto affixed, this 24th
day of March, 1932.

R. C. Heard
Notary Public, Baldwin County,
State of Alabama.

STATE OF ALABAMA,
BALDWIN COUNTY.

IN THE CIRCUIT COURT-LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon G. N. Hayes and Mary Hayes 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 the Peoples Fertilizer Company, a Corporation.

Witness my hand this 26 day of March, 1932.

J. M. Robinson
Clerk.

COMPLAINT.

PEOPLES FERTILIZER COMPANY,
A Corporation,

Plaintiff,

-vs-

G. N. HAYES and MARY HAYES,

Defendants.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

The Plaintiff claims of the Defendants the following described personal property, to-wit:-

All crops of corn, cotton, potatoes, nuts, fruits, and any and all other farm products grown by or for the Defendants during the year 1931; Also all farming implements and live stock belonging to said Defendants;

together with the value of the use or hire thereof during the period of detention, to-wit, from May 1st, 1931 to March 24th, 1932.

Hyland News & Olson
Attorneys for Plaintiff.

PEOPLES FERTILIZER COMPANY,
a corporation,
Plaintiff,

vs.

G. N. HAYS AND MARY HAYS,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, the undersigned, a Notary Public in and for said State and County, this day personally appeared G. N. HAYS, who being be me duly sworn, deposes and says that he is one of the defendants in the above styled cause and that the plaintiff in said cause has sued to recover, among others, the following chattels, namely, One Bay mule name "Pete 6 years old; one Cream colored mule name "Jenny" 10 years old; one two-horse Studebaker wagon and one red milch cow and calf.

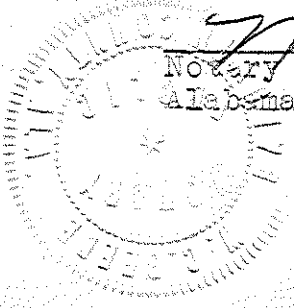
Affiant further says that the title to the said property is in the Consolidated State Bank, as successor to the *Farmers* State Bank, a corporation; that the title of the said Consolidated State Bank as aforesaid to the said property is derived through and held under that certain mortgage executed by this affiant to the *Farmers* State Bank dated December 29th, 1930; that at the time of the execution of the mortgage by the defendant in this cause to the Peoples Fertilizer Company, under which the said Peoples Fertilizer Company claims the said property, the said Peoples Fertilizer Company had actual knowledge that the aforesaid mortgage to the *Farmers* State Bank was outstanding and that the said mortgage had not been paid, and the said mortgage to the said *Farmers* State Bank, now held by the said Consolidated State Bank, as successor to the *Farmers* State Bank, was and is a prior lien to the said property superior to the lien of the said Peoples Fertilizer Company on said property. That the said Consolidated State Bank, as successor to the *Farmers* State Bank, is not a party to this suit; that there is no collusion between the

said Consolidated State Bank and this affiant and the said Consolidated State Bank, as successor to the ~~Luxley~~ State Bank, claims to own the said property under the said mortgage, and this affiant prays an order that the said Consolidated State Bank, as successor to said Loxley State Bank, be required on notice to come in and defend this suit.

G. G. Hays

Sworn to and subscribed before
me, this 10th day of January,
1933.

J. A. Beck
Notary Public, Baldwin County,
Alabama.



PEOPLES FERTILIZER COMPANY,
a corporation,

Plaintiff,

vs.

G. N. HAYES and MARY
HAYES,

Defendants.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA. AT LAW.

Come the defendants in the above styled cause, and for
answer to plaintiff's complaint, say:

1. That they are not guilty of the matters alleged
therein.

Beebe & Hall
Attorneys for Defendants.

The Defendants demand trial

by Jury:

Beebe & Hall
Attorneys for Defendants.

PEOPLES FERTILIZER COMPANY,
A Corporation,

Plaintiff,

-vs-

G. N. HAYES and MARY HAYES,

Defendants.)

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

B O N D.

STATE OF ALABAMA,

BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: That G. N. Hayes and Mary Hayes, as Principal, and the Undersigned, as Sureties, are held and firmly bound unto the Peoples Fertilizer Company, a Corporation, in the sum of 600 Dollars (\$600.00) for the payment of which well and truly to be made we bind ourselves, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 12th day of April, 1932.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH: That Whereas, the Peoples Fertilizer Company, a Corporation, did on the 26th day of March, 1932, sue out of the Circuit Court of Baldwin County, Alabama, a Writ of Detinue directed to any Sheriff of the State of Alabama commanding him to take into his possession the following described personal property, to-wit:-

All crops of corn, cotton, potatoes, nuts, fruits, and any and all other farm products grown by or for the Defendants during the year 1931; Also all farming implements and live stock belonging to said Defendants;

which said Writ was placed in the hands of W. R. Stuart as Sheriff of Baldwin County, Alabama, on the 26th day of March, 1932, and executed by him on the 31st day of March, 1932, by taking into his possession the following described property, viz:-

One Cream Mule and One Red Mule; Two Horse Wagon and harness; 1 Hay Rack; One Plow; One Spring Tooth Cultivator; One Wooden Plow, stock, single; One Mowing Machine; 2 red Cows and Calf; About fifty or seventy-five bushels Corn on cob; One single Plow with a broken handle; 1 Hog in Pen and Two in woods, the hog in pen a sandy color with black spots weight about 200 lbs.

AND WHEREAS, the possession of said property has been restored to Defendant on the execution of this Bond;

NOW, THEREFORE, if the Defendants are cast in said suit and shall within thirty days thereafter deliver the said property to the Plaintiff, and pay all costs and damages which may accrue from the detention thereof, then this obligation to be void, otherwise to remain in full force and effect.

Taken and approved this
12th day of April, 1932.

W. R. Stuart
Sheriff of Baldwin County,
Alabama.

G. N. Hayes SEAL

A. T. Childers SEAL

D. W. Fields SEAL

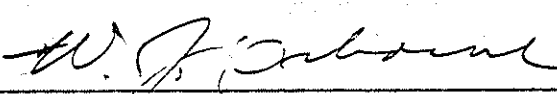
STATE OF ALABAMA.

BALDWIN COUNTY.

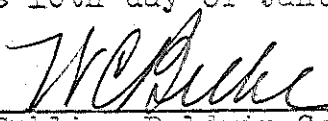
Before me, W. C. BEEBE, a Notary Public in and for said County and State, personally appeared W. J. OSBORNE, who being duly sworn, deposeth and saith that the following described property, to-wit:

One Bay mule name "Pete" 8 years old;
One Cream colored mule name "Jenny" 10 years old;
One two-horse Studebaker wagon;
One red milch cow and calf;

upon which a Writ of Detinue from the Circuit Court of Baldwin County, Alabama, issued the _____ day of _____, 1932, in favor of Peoples Fertilizer Company, a corporation, against G. N. Hays and Mary Hays, has been levied by W. R. Stuart, Sheriff of Baldwin County, is not the property of said Peoples Fertilizer Company, a corporation, but is the property of the Consolidated State Bank, as successor to the Farmers State Bank, and that the said Consolidated State Bank as aforesaid, has a just claim to the property levied on by virtue of that certain mortgage executed by G. N. Hays to Farmers State Bank dated December 29, 1930, conveying the said property to secure an indebtedness of One Hundred Thirty-five Dollars (\$135.00), which said indebtedness is due and unpaid; that the said claim of the said Consolidated State Bank to the said property is superior to the claim of the plaintiff in this suit.


Liquidating Agent, Consolidated
State Bank.

Sworn to and subscribed before
me, this 10th day of January,
1933.


Notary Public, Baldwin County,
Alabama.