

5310

\$1392.00

NOTE

Rt 1 Box 177 A Fairhope Alabama december 23 19 60
(Street and No.) (City) (County) (State) (Date)

For Value Received, the Undersigned promise to pay to the order of

the sum of Thirteen hundred Ninety Two dollars no cents Dollars, in 24 consecutive
monthly installments of \$58.00 each, and none monthly installments of \$none, on the
of each month, commencing 1/9/61, 19 , until this note is fully paid, with interest after the maturity of

each installment (whether because of default or otherwise) at the rate of 8% per annum. If any installment of this note is not paid when due the entire amount unpaid shall be due and payable forthwith at the election of the holder of this note without notice. The acceptance of any installment hereof by the holder after the time when it becomes due as herein set forth shall not be held to establish a custom, or waive any rights of the holder to enforce prompt payment of any further installments or otherwise.

If this note shall not be paid when due, whether by acceleration or otherwise, and shall be placed in the hands of an attorney for collection, the undersigned promises to pay 15 per cent of the amount then due hereon as an attorney's fee. The undersigned and all endorsers, guarantors or other parties hereto hereby waive presentment for payment, demand, protest and notice of demand, protest and non-payment. The undersigned (if more than one in number) bind themselves jointly and severally for the performance of all obligations hereunder.

S. E. Mills
Frances Knott
J

Fletcher Mitchell

JOHN V. DUCK
RICHARD C. LACEY
ATTORNEYS AT LAW
FAIRHOPE, ALABAMA
January 7, 1963

Mrs. Alice J. Duck
P. O. Box 239
Bay Minette, Alabama

IN RE: Securities Credit Co. Inc.
-vs-

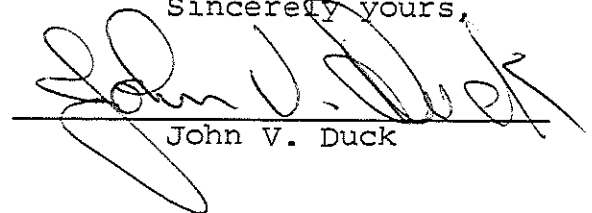
Fletcher Mitchell
Civil Case No. 5300

Dear Mrs. Duck:

Enclosed you will find the original Promissory Note
in the above styled matter.

Would you please have Judge Hall to enter a default
Judgment in the amount of \$896.83.

Sincerely yours,



John V. Duck

JVD:pq
Encl:
Pro. Note

SECURITIES CREDIT COMPANY, INC.
A Corporation

Plaintiff

-VS-

FLETCHER MITCHELL

Defendant

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

COUNT ONE:

Plaintiff claims of the Defendant the sum of SEVEN HUNDRED AND FORTY and 41/100 (\$740.41) DOLLARS, due by promissory note made by him on the 23rd day of December, 1960, and payable in monthly installments of FIFTY EIGHT (\$58.00) DOLLARS beginning on the 9th day of January, 1961, with interest thereon.

In and by the terms of said note, the Plaintiff hereof had the option to declare the whole balance of said note due on any default by the said Defendant.

Plaintiff further avers that in, by and as a part of said note, the Defendant agreed to pay all costs of collecting or securing or attempting to secure or collect such debt including a reasonable attorney's fee, whether the same be collected or secured by suit or otherwise, and the Plaintiff further claims of the Defendant the further and additional sum of ONE HUNDRED AND TWELVE (\$112.00) DOLLARS as a reasonable attorney's fee.

Plaintiff further avers that in, by and as a part of said note, the Defendant waived as to this debt or to any renewal thereof, all rights of exemption under the Constitution and Laws of Alabama, as to personal property, and of this waiver the Plaintiff now claims the benefit.

Defendant may be served at:

Klump's Dairy
Fairhope, Alabama

Attorney for Plaintiff

Received 3 day of Oct 1960
and on 4th day of Oct 1960

I served a copy of the within on Fletcher Mitchell

By service on _____

Sherriff claims 80 miles at 800
Cents per mile Total \$
TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF

FILED
OCT 3 1960
ALICE J. DUCK, CLERK
REGISTER

12

TAYLOR WILKINS, Sheriff
By Fred Fisher D. S.
5 m. to F. Fisher

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. _____

_____ TERM, 19____

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon FLETCHER MITCHELL

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, State of Alabama, at Bay Minette, against _____

FLETCHER MITCHELL _____, Defendant _____

by SECURITIES CREDIT COMPANY, INC., A Corporation _____

_____, Plaintiff _____

Witness my hand this 3 day of Oct 1962

Becky J. French _____, Clerk

STATE of ALABAMA

Baldwin County

CIRCUIT COURT

SECURITIES CREDIT COMPANY, INC.
A Corporation

Plaintiffs

vs.

FLETCHER MITCHELL

Martha P. Adams from
Cecil Ward

Defendants

Summons and Complaint

Filed

FILED

19____

OCT 2 1962

Clerk

ALICE J. DUCK, CLERK
REGISTER

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Klump's Dairy, Fairhope, Ala.

Received In Office

_____, 19____

Sheriff.

I have executed this summons

this _____ 19____

by leaving a copy with

Sheriff.

Deputy Sheriff.

THE STATE OF ALABAMA,
BALDWIN COUNTY

}

CIRCUIT COURT

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State aforesaid John V. Duck

who being duly sworn, on oath says, that a regular January Term of the Circuit Court of Baldwin County, to-wit: on the 10th day of January 1963, Securities Credit Company, Inc., a corporation recovered a judgment against Fletcher Mitchell

for the sum of EIGHT HUNDRED NINETY-SIX AND 83/100 Dollars besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that Roger Lee Kirkland

supposed to be indebted to or have effects of the said Fletcher Mitchell in his possession, or under his control, and that he believes process of Garnishment against said Fletcher Mitchell is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 22th day of October A. D. 1963
Alice J. Duck
Clerk.

John V. Duck

INSTRUCTIONS

SENDER:

Write (or type) message, put out yellow sheet, mail the other two.

RECIPIENT:

Write your reply at bottom, mail back white sheet and keep the pink.

NCR
REPRESENTATIVE OF U.S. & FOREIGN PATENTS
OF THE PATENT, TRADE MARK AND
COPYRIGHT OFFICE OF THE U.S.T
O

Mrs. Alice J. Duck
Clerk of Circuit Court
P. O. Box 239
Bay Minette, Alabama

F
R
O
M

JOHN V. DUCK & RICHARD C. LACEY
Attorneys At Law
319 Morgan Avenue
FAIRHOPE, ALABAMA

SUBJECT:

Securities Credit Company, Inc., a
corporation v. Fletcher Mitchell

DATE:

10-29-62

Message - Reply

FOLD A

THIS IS NCR (NO CARBON REQUIRED) PAPER.

JUST TYPE (OR WRITE) ON ORIGINAL. YOUR IMPRESSION
WILL AUTOMATICALLY APPEAR ON COPIES BENEATH.

Form 87 - New England Business Service, Inc., Townsend, Mass.

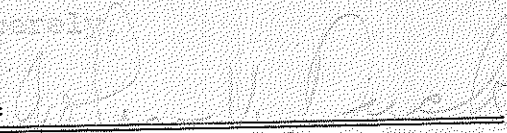
Dear Mrs. Duck:

Enclosed you will find a copy of the original of the letterhead memorandum.

Please file.

Sincerely,

SIGNED:



DATE OF REPLY:

REPLY TO:

JOHN V. DUCK

R
E
P
L
Y

SIGNED:

RECIPIENT: WRITE REPLY. RETURN WHITE TO SENDER. KEEP THIS PINK COPY.

State of Alabama

BALDWIN COUNTY

TO Fletcher Mitchell, Defendant:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of

Securities Credit Company, Inc., a corporation, Plaintiff,

versus Fletcher Mitchell, Defendant,

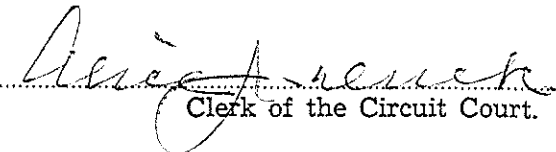
now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

Roger Lee Kirkland

has been named as Garnishee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 31

day of Oct, 1943


 Clerk of the Circuit Court.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State aforesaid John V. Duck

who being duly sworn, on oath says, that a regular January Term
of the Circuit Court of Baldwin County, to-wit: on the 10th day of January
19 63, Securities Credit Company, Inc., a corporation
recovered a judgment against Fletcher Mitchell

for the sum of
EIGHT HUNDRED NINETY-SIX AND 83/100 Dollars
besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that
Roger Lee Kirkland

supposed to be indebted to or have effects of the said Fletcher Mitchell
in his possession, or under his control, and that he believes process of
Garnishment against said Fletcher Mitchell
is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 29th 31
day of October A. D. 19 63

Alice J. Duck
Clerk.

John V. Duck

State of Alabama

BALDWIN COUNTY

TO Fletcher Mitchell, Defendant:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of
Securities Credit Company, Inc., a corporation, Plaintiff,
versus Fletcher Mitchell, Defendant,

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

Roger Lee Kirkland

has been named as Garnishee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 31
day of Oct, 1963

Roger Lee Kirkland
Clerk of the Circuit Court.

received 31 day of Oct. 1963
id on day of 19

served a copy of the within Notice
Fletcher Mitchell

service on

TAYLOR WILKINS, Sheriff

By D. S.

Received 22 day of May 1964
in my county after diligent search and is

Taylor Wilkins, Sheriff
Deputy Sheriff

M. 5312 1/2

NOTICE
TO DEFENDANT OF GARNISHMENT
BY
CLERK OF CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
TO

Securities Credit Co.
Plaintiff.....

VS.

Fletcher Mitchell

Defendant.....

Garnishment on Judgment.

The State of Alabama,
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19__

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular January Term, 1963, of the Circuit Court of Baldwin County,
to-wit: On the 10th day of January, 1963, being a regular day of
said term, Securities Credit Company, Inc., a corporation

recovered judgment against Fletcher Mitchell

for the sum of EIGHT HUNDRED NINETY-SIX AND 83/100 Dollars, and cost of suit,
and affidavit having been made by John V. Duck
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the
following named persons or corporations, viz:

Roger Lee Kirkland

has or is believed to have in his possession, or under his control money
or effects belonging to said defendant Fletcher Mitchell or that Garnishee is, or
is believed to be indebted to said defendant or to be liable to them, or to one of them on a
contract for the delivery of personal property, or on a contract for the payment of money which may be
discharged by the delivery of personal property, or which is payable in personal property.

You Are Therefore Hereby Commanded to Summon

Roger Lee Kirkland

to be and appear before the honorable Judge of the Circuit Court for Baldwin County, at the Court House
thereof, in the city of Bay Minette, on the _____ Monday in _____ A. D. 19____,
then and there within the three first days of the term, to answer on oath, whether at the time of the service
of the garnishment, or at the time making his answer, or at any time intervening the time of serv-
ing the garnishment, and making the answer he was or is indebted to said defendant
and whether he will not be indebted in future to said defendant
by a contract then existing, and whether by a contract then existing
is, or are, liable to said defendants for the delivery of personal property, or for the payment of money which
may be discharged by the delivery of personal property, or which is payable in personal property, and
whether he has not in his possession or under his control money or
effects belonging to the defendant Fletcher Mitchell

Herein fail not, and have you then and there this Writ.

Witness, ALICE J. DUCK, Clerk of said Court, this 31 day of Oct, A. D., 1963
Issued 31 day of Oct, A. D., 1963

ATTEST:

Alice J. Duck, Clerk.

Ex-11-9-63

5310M

Received 31 day of Oct 1963
and on 9 day of Mar 1963
served a copy of the within Warrant
on Roger Lee Kirkland

by service on

TAYLOR WILKINS, Sheriff
BY Carlisle Childress
Daley

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
BY Carlisle Childress
DEPUTY SHERIFF

Circuit Court, Baldwin County

No. _____

Securities Credit Co

VS. } Garnishment On Judgment

Fletcher Mitchell

Foley
Roger Lee Kirkland
Garnishee

Issued _____ day of _____ 19____

Returnable _____ day of _____ 19____

Attorney