

4914

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO: ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Robert A. Breedin 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 Julius E. Marx.

Witness my hand on this the 12 day of October, 1961.

Alice J. Luck  
Clerk

JULIUS E. MARX,	I	
Plaintiff,	I	IN THE CIRCUIT COURT OF
vs.	I	
	I	BALDWIN COUNTY, ALABAMA
ROBERT A. BREEDIN,	I	
Defendant.	I	AT LAW

COUNT ONE:

The Plaintiff claims of the Defendant Three Thousand Nine Hundred Dollars (\$3,900.00) due by Promissory Note made by him on the 19th day of October, 1960, and payable on the 1st day of July, 1961, with interest thereon, which sum of money is still unpaid.

The Plaintiff 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 collect or secure said note, including a reasonable attorneys' 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 Seven Hundred and Fifty Dollars (\$750.00) as such reasonable attorneys' fee.

The Plaintiff avers that in and by and as a part of said note the Defendant waived as to this debt or any renewal thereof, all rights to exemption under the Constitution and the Laws of Ala-

bama as to personal property, and the Plaintiff claims the benefit of such waiver.

CHASON & STONE

By: John Earle Chason  
Attorneys for Plaintiff

FILED

OCT 12 1961

ALICE J. DICK, CLERK  
REGISTER

Sheriff claims 54 miles at  
Ten Cents per mile Total \$ 5.40  
TAYLOR WILKINS, Sheriff  
BY W. O. Garner  
DEPUTY SHERIFF

Received 12 day of Oct 1961  
and on 16 day of Oct 1961  
I served a copy of the within etc  
on Robert A. Breedin  
By service on Robert A. Breedin

TAYLOR WILKINS, Sheriff  
By W. O. Garner D.S.  
Daphne

JULIUS E. MARX,  
Plaintiff,  
vs.

ROBERT A BREEDIN,  
Daphne Defendant

\* \* \* \* \*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

\* \* \* \* \*

SUMMONS AND COMPLAINT

\* \* \* \* \*

FILED

OCT 12 - 61

ALICE J. DUCK, CLERK  
REGISTER

CHASON & STONE  
ATTORNEYS AT LAW  
BAY MINETTE, ALABAMA

JULIUS E. MARX

Plaintiff

vs

ROBERT A. BREEDIN

Defendant

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. \_\_\_\_\_

Comes the defendant, Robert A. Breedin, in the above styled cause and for answer to said complaint and to each and every phase there separately and severally, says:

-1-

He denies the allegations of said complaint as untrue.

-2-

The defendant for answer to the said complaint, saith that he has paid the debt, for the recovery of which this suit was brought before the action was commenced.

-3-

The defendant, for answer to the complaint, saith that the note, upon which the action was founded, was not executed by him, or by any one authorized to bind him in the premises; and he makes oath that this plea is true.

THOMPSON & WHITE

BY:

*Charles D. Thompson*  
Attorneys for defendant.

STATE OF ALABAMA  
BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Robert A. Breedin, defendant, who being informed of the contents of the foregoing answer, says under oath, that same is true and correct.

*Robert A. Breedin*

Sworn to and subscribed before me this the 11 day of November, 1961.

FILED

NOV 13 1961

ALICE J. DUCK, CLERK  
REGISTER

*Alice J. Duck*  
Notary Public, Baldwin County, Alabama

JULIUS E. MARX,

Plaintiff,

vs.

Robert A. Breedin,

Defendant,

MERCHANTS NATIONAL BANK OF  
MOBILE, ALABAMA, a national  
banking institution,

Garnishee.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA-GREETING:

You are hereby commanded to notify Robert A. Breedin that  
on the 31st day of August, 1962, a writ of garnishment in the above  
stated case was issued to Merchants National Bank of Mobile, Alabama,  
a national banking institution, as garnishee.

And you will return this writ according to law.

Witness my hand this 31st day of August, 1962.

Received 31 day of Aug 1962  
and on 20th day of Sept 1962  
I served a copy of the within Notice  
on Robert A. Breedin  
By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By Ford Lecher D. S.  
Deputy

Deirdre J. Duck  
Clerk  
Sheriff claims 54 miles at  
Ten Cents per mile Total \$ 5.40  
TAYLOR WILKINS, Sheriff  
BY Lecher  
DEPUTY SHERIFF

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Alice J. Duck, Clerk of the Circuit Court, in and for said County and State, personally appeared John Earle Chason, who being duly sworn, deposes and says that Julius E. Marx on the 19th day of December, 1961, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against Robert A. Breedin for the sum of Four Thousand Three Hundred Fifty and no/100 Dollars (\$4,350.00) and the further sum of Thirty One and 90/100 Dollars (\$31.90) cost of said suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that Merchants National Bank of Mobile, Alabama, a national banking institution, has, or is believed to have in its possession or under its control, money or effects belonging to the Defendant, or that it has or is believed to be indebted to the Defendant, or to be liable to the Defendant 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.

John Earle Chason

Sworn to and subscribed before me  
this 31st day of August, 1962.

Alice J. Duck  
Clerk of the Circuit Court, Baldwin County

STATE OF ALABAMA  
COUNTY OF MOBILE

PLAINTIFF Julius E. Marx

vs

defendant Robert A. Breedin

THE PRICHARD BRANCH OF THE MERCHANTS NATIONAL BANK OF MOBILE

Comes the Merchants National Bank of Prichard, Alabama, a National Banking Association organized under the laws of the United States of America and doing business in the City of Prichard, County of Mobile, and State of Alabama, answering by and through it's Assistant Vice President, W. J. Sumerlin and for answer to the writ of garnishment served upon it in the above case on September 5, 1962 upon oath says that it was indebted to Robert A. Breedin, the above defendant in the amount of \$3.63 at the time of garnishment.

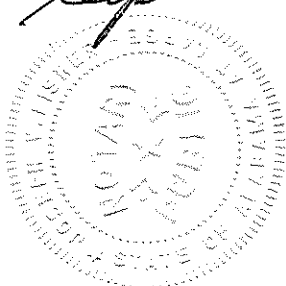
And for further answer to said writ garnishment says it will not be indebted to said defendant in the future, by a contract then existing, nor is it liable to said defendant for the delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and that it has not in its possession or under its control money or effects belonging to said defendant \$3.63 other than herein above set forth.

Affiant further states that he is the Assistant Vice President of the Merchants National Bank of Mobile, Prichard Branch, a National Banking Association as aforesaid, and is fully authorized to make answer for and on behalf of said Merchants National Bank of Mobile Alabama, Prichard Branch, as aforesaid and now having fully answered the Garnishee the Merchants National Bank of Mobile, Alabama, Prichard Branch, as aforesaid prays to be discharged with its reasonable cost in this behalf expended.

THE MERCHANTS NATIONAL BANK OF MOBILE  
PRICHARD BRANCH

BY W. J. Sumerlin  
ASST. VICE PRESIDENT

Sworn and Subscribed to before me on this the 10<sup>th</sup> day of September, 1962.



FILED  
SEP 12 1962

Joseph Y. Fisher  
Notary Public  
State of Alabama  
County of Mobile

My Commission Expires March 16, 1964

ALICE J. DICK  
CLERK  
REGISTER

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WHEREAS, John Earle Chason has made affidavit as required by law that Julius E. Marx, on the 19th day of December, 1961, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against Robert A. Breedin for the sum of Four Thousand Three Hundred Fifty Dollars (\$4,350.00) and the further sum of Thirty-one Dollars and Ninety Cents (\$31.90), cost of suit; and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that, Merchants National Bank of Mobile, Alabama, a national banking institution, has or is believed to have in its possession or under its control money or effects belonging to the Defendant, or that it is or is believed to be indebted to the Defendant, or to be liable to the Defendant 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.

These are therefore to command you, that you summon the said Merchants National Bank of Mobile, to be and appear before the Circuit Court of Baldwin County, Alabama, within thirty days after the service of this writ of garnishment, then and there to answer on oath, whether at the time of the service of this writ, or at the time of making its answer, it has in its possession or under its control any money or effects belonging to the Defendant; and whether it is indebted to said Defendant, or is liable to him on any contract for the payment of money or 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.

Witness my hand and seal as Clerk of said Court on this the 31 day of Aug, 1962.

Allice J. Duck  
Clerk



Received 4 Day of Sept 1962  
and on 4 Day of Sept 1962  
I served a Copy of the within Writ of Attachment  
on Merchants National Bank  
Branch at Mobile  
Branch 7 Lytle  
by service on James D. Bridges, Sheriff  
RAY D. BRIDGES, Sheriff  
PI

4914 1/2 3335

Julius E Marx  
vs.  
Robert A. Breedin

Merchants National Bank  
of Mobile.  
Garnishee

RECEIVED  
SEP 4 1962  
SHERIFF'S OFFICE

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WHEREAS, John Earle Chason has made affidavit as required by law that Julius E. Marx, on the 19th day of December, 1961, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against Robert A. Breedin for the sum of Four Thousand Three Hundred Fifty Dollars (\$4,350.00) and the further sum of Thirty-one Dollars and Ninety Cents (\$31.90), cost of suit; and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that, Walter Brunson, Jr., has or is believed to have in his possession or under his control money or effects belonging to the Defendant, or that he is or is believed to be indebted to the Defendant, or to be liable to the Defendant 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.

These are therefore to command you, that you summon the said Walter Brunson, Jr., to be and appear before the Circuit Court of Baldwin County, Alabama, within thirty days after the service of this writ of garnishment, then and there to answer on oath, whether at the time of the service of this writ, or at the time of making his answer, he has in his possession or under his control any money or effects belonging to the Defendant; and whether he is indebted to said Defendant, or is liable to him on any contract for the payment of money or 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.

Witness my hand and seal as Clerk of said Court on this the

1st day of February, 1963.

Ed-2-7-63

Alice J. Duck  
Clerk

FEN

3546

4914 1/2 - A

Received 1 day of Feb 1963  
and on \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
I served a copy of the within \_\_\_\_\_  
on \_\_\_\_\_  
by service on \_\_\_\_\_  
TAYLOR WILKINS, Sheriff  
By \_\_\_\_\_ D. S.

EXECUTED

This 7 day of Feb, 1963

by serving a copy of the within on

Walter Brunson, Jr.  
RAY D. BRIGGS, Sheriff

I By H. Few D. S.

RECEIVED

FEB 4 - 1963

SHERIFF'S OFFICE

W. Few  
Verve: Walter Brunson, Jr.  
At 2, Box 190  
Mobile, Ala.

JULIUS E. MARX,

Plaintiff,

VS.

ROBERT A. BREEDIN,

Defendant,

and

WALTER BRUNSON, JR.,

Garnishee.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4914 1/2

ANSWER OF GARNISHEE

Comes now Walter Brunson, Jr., Garnishee in the above styled cause, and after being duly and legally sworn, deposes and says: that at the time of service of a Writ of Garnishment in the above styled cause, and at the time of making this answer, said Garnishee was indebted to said Defendant Robert A. Breedin, in the sum of Eight Hundred and Thirteen Dollars (\$813.00); that he will not be indebted in the future to said Defendant by any contract then or now existing; that he will not be liable to said Defendant 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 Garnishee does not have in his possession or under his control money or effects belonging to said Defendant other than as aforesaid.

Having fully answered said garnishment, said Garnishee prays to be hence dismissed, with his reasonable cost, for making this answer.

Walter Brunson, Jr.  
Walter Brunson, Jr.

Walter Brunson, Jr.

Sworn to and subscribed before me

on this 28 day of February, 1963.

John Earle Chasen  
Notary Public, Baldwin County, A.

Notary Public, Baldwin County, Alabama

FILED

FEB 28 1963

ALICE J. DUCK, CLERK  
REGISTER

202

JULIUS E. MARX,

Plaintiff,

versus

ROBERT A. BREEDIN,

Defendant,

WALTER BRUNSON, JR.,

Garnishee.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA-GREETING:

You are hereby commanded to notify Robert A. Breedin that on the 1st day of February, 1963, a writ of garnishment in the above stated case was issued to Walter Brunson, Jr., as garnishee.

And you will return this writ according to law.

Witness my hand this 1st day of February, 1963.

*Ed-2-5-63*

*Allice J. Luck*  
Clerk

4914 1/2 = A

Received 1 day of Feb. 1913  
and on 5th day of Feb. 1913  
I served a copy of the within Notice  
on 1

By service on Robert A. Breedin  
t

TAYLOR WILKINS, Sheriff  
By Ed. Furber D. S.  
Jos. W. Baker

Sheriff claims 70 miles at  
Ten Cents per mile Total \$ 7.00.  
TAYLOR WILKINS, Sheriff

BY \_\_\_\_\_  
DEPUTY SHERIFF

Serve: Robert A. Breedin  
Daphne

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Alice J. Duck, Clerk of the Circuit Court, in and for said County and State, personally appeared John Earle Chason, who being duly sworn, deposes and says that Julius E. Marx, on the 19th day of December, 1961, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against Robert A. Breedin for the sum of Four Thousand Three Hundred Fifty and no/100 Dollars (\$4,350.00) and the further sum of Thirty One and 90/100 Dollars (\$31.90) cost of said suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that Walter Brunson, Jr., has or is believed to have in his possession or under his control, money or effects belonging to the Defendant, or that he is or is believed to be indebted to the Defendant, or to be liable to the Defendant 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.

John Earle Chason

Sworn to and subscribed before me  
this 1st day of February, 1963.

Alice J. Duck  
Clerk of the Circuit Court, Baldwin County, Alabama