#### JAMES A. BRICE

ATTORNEY AT LAW FOLEY, ALABAMA

P.O. Box 298

WHITEHALL 3-3601

May 5, 1962

Mrs. Alice J. Duck Circuit Clerk Bay Minette, Alabama

> Re: Coy R. Polk Vs: B. L. Boarnes

Case No. 5016

Dear Mrs. Duck:

The Plaintiff in the above styled action is entitled to a judgment by default. The foundation note is enclosed and the judgment should be based on \$166.00 principal, \$6.12 interest, and \$35.00 attorney fee.

Thank you for your usual prompt attention to this

request.

Sincerely

Tames A Brice

JAB:

166.00

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COY R. POLK d/b/a BON SECOUR )
SERVICE STATION )

PLAINTIFF

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

VS

J. L. BOARMAN

DEFENDANT

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The plaintiff claims of the defendant the sum of One Hundred Sixty-six (\$166.00) Dollars, due by promissory note made by the defendant on the 10th day of October 1961, and payable on the 10th day of November 1961, with interest from date at the rate of eight (8%) per cent per annum.

Plaintiff avers that in and by the terms of said note the defendant waived all right to exemption under the constitution and laws of the State of Alabama, and of this waiver plaintiff now claims benefit.

Plaintiff further avers that in and by the terms 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 attorney's fee, and the plaintiff further claims of the defendant the further and additional sum of Thirty-five (\$35.00) Dollars, as such reasonable attorney's fee.

James A. Brice

Attorney for Plaintiff

FILED

FEB 5 1982

AIGE I DUCK CLERK REGISTER

The State of Alabama,	1	Court, Baldwin County			
Baldwin County.	No				
	),	TERM, 19			
TO ANY SHERIFF OF THE	STATE OF ALABAMA				
You Are Commanded to Summon	J. L. J	Boarman			
	·	the service hereof, to the complaint	filed in		
the Circuit Court of Baldwin Count	y, State of Alabama, at Bay	y Minette, against			
	J. L. Boarman	, Defenda	ant		
by Coy R. Polk d/b/a Bon Secour Service Station					
		, Plaint	tiff		
Witness my hand this	day of Q Tes	lo			
Ex 3-21-62.	- Alic	e J. Duck	_, Clerk		

No. 2016 Page		
STATE of ALABAMA	Defendant lives at	
Baldwin County	Pouto 2 Folom Alaba	
	Route 3, Foley, Alabama	
CIRCUIT COURT	Received In Office	
Coy R. Polk d/b/a Bon Secour	2/3,1962	
Service Station		
Plaintiffs	Sheriff.	
vs.	I have executed this summons	
	this XTE 3-2/ 162	
B. L. Boarman	by leaving a ropy with	
	QX/Quences.	
Defendants		
Summons and Complaint		
Filed 19 19 19 19 19 Clerk	Sheriff claims miles at  Ten Cents per mile Total \$  TAYLOR WILKINS, Sheriff  BY DEPUTY SHERIFF	
James A. Brice		
Plaintiff's Attorney	Morrelpen	
Defendant's Attorney	Sheriff.	
	Deputy Sheriff.	
Section 2015	13 01	
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## GARNISHMENT ON JUDGMENT

STATE OF ALABAMA	)	IN THE CIRCUIT COURT OF
COUNTY OF BALDWIN	)	BALDWIN COUNTY, ALABAMA AT LAW, NO. 5016

TO ANY LAWFUL OFFICER OF SAID COUNTY--GREETING:

WHEREAS, on the 7th day of May, 1962, being a regular day of said court, Coy R. Polk d/b/a BON SECOUR SERVICE STATION, recovered judgment against J. L. Boarman, for the sum of Two Hundred Seven and 12/100 (\$207.12) Dollars, and cost of suit, Twenty-five and 10/100 (\$25.10) Dollars, and affidavit having been made by James A. Brice, that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, viz: Farmers & Merchants Bank, a state banking corporation, has or is believed to have in its possession, or under its control money or effects belonging to said defendant; or that it is, or is believed to be indebted to said defendant or to be liable to him, 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.

Herein fail not, and have you then and there this Writ. WITNESS, Alice J. Buck, Circuit Clerk, this \_\_\_day of 1963. Clevel. Duck ATTEST: 

no.5016/2

erved a copy of the within Bar. Former & Minchants Bk. TAYLOR WILKINS Sheriff

By forball ( D) D. S.

Coy P. Polk

J.L. Boar man

Formers Merchanto Boyk Garnishe c

Writ

\_\_\_, 1963.

Officer

COY R. POLK,

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Sheriff claims. 8 6 miles at Ten Cents per mile Total 8 . Go of TAYLOR WILKING Sheriff DEFUTY SHERIFF OF THE TOTAL	Colline South office the day of Allocated to Because the colline with the Carnes and the colline will retain this way of Allocated to Secure the March to lear the law.  Secelved in this office the day of Carnes the law.  Accelved in this office the day of lay of law.	CALLES OF CORP.  CALLES OF CORP.  CALLES OF CORP.  CALLES OF CALLES OF CORP.  CALLES OF COR

STATE OF ALABAMA ) COUNTY OF BALDWIN )

Personally appeared before me, a Notary Public in and for said State and County, James A. Brice, who being duly sworn, deposes and saith that Coy R. Polk, on the 7th day of May, 1962, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against J. L. Boarman for the sum of Two Hundred Seven and 12/100 (\$207.12) Dollars and the further sum of Twenty-five and 10/100 (\$25.10) Dollars cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that Farmers & Merchants Bank, a State Banking Corporation, has or is believed to have in its possession or under its control, money or effects belonging to the defendant, or it is liable 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.

James A. Brice

Sworn to and subscribed before

this 29th day of October, 1963.

Virgie & Johnson

Filed 10-30-63 Accied hence

4.946

### ANSWER DENYING INDEBTEDNESS

COY R. POLK, d/b/a BON
SECOUR SERVICE STATION,

IN THE CIRCUIT COURT OF
PLAINTIFF,

BALDWIN COUNTY, ALABAMA

Vs: J. E. BOARMAN,

DEFENDANT,

CASE NO. 5016

FARMERS & MERCHANTS BANK,

FOLEY, ALABAMA,

GARNISHEE.

Personally appeared before me, Forest A. Christian, a Notary Public in and for said County and State, JAY W. RICE, who is personally known to me, who being by me duly sworn, on oath says that he is the Cashier for the Farmers & Merchants Bank and as such is the agent for making answers in garnishment cases, and as such agent has authority to make answer for the garnishee in the above stated case, and answering the garnishment or attachment therein he says that the garnishee is not now indebted to the Defendant in any sum whatever, and was not indebted to him at the time of the service of this garnishment, nor at any time intervening between the time of the service of the garnishment and the making of this answer, and in fact the Defendant is over drawn \$.26 and that it will not be indebted in the future to the said Defendant by any contract then or now existing, and that it will not be liable to the Defendant for the delivery of personal property by any contract then or now existing, for the delivery of personal property, nor 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 in its possession or under its control money or effects belonging to the Defendant.

FARMERS & MERCHANTS BANK, FOLEY, ALABAMA

BY:

Sworn to and subscribed before

me this 7-day of November, 1963.

FILE

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Stary Public, Baldwin County, Ala

WIE I WELL CLERK REGISTER

#### AFFIDAVIT ON JUDGMENT

STATE OF ALABAMA ) COUNTY OF BALDWIN )

Personally appeared before me, a Notary Public in and for said State and County, James A. Brice, who being duly sworn, deposes and saith that Coy R. Polk, on the 7th day of May, 1962, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against J. L. Boarman for the sum of Two Hundred Seven and 12/100 (\$207.12) Dollars and the further sum of Twenty-five and 10/100 (\$25.10) Dollars cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that Farmers & Merchants Bank, a State Banking Corporation, has or is believed to have in its possession or under its control, money or effects belonging to the defendant, or it is liable 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.

James A. Brice

Sworn to and subscribed before the this 29th day of October, 1963.

Ocary Mills Johnson

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# LAW OFFICE OF JAMES A. BRICE

FOLEY, ALABAMA

October 29, 1963

Mrs. Alice J. Duck Circuit Clerk Bay Minette, Alabama

Enclosures: Re: Polk vs Boarman

Writ Garnishment on Judgment Affidavit on Judgment

M.5016/2