

JULIAN C. PRINE, )  
Plaintiff, )  
vs )  
J. C. VERNON, )  
Defendant. )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

At Law.

No. 5694

APPEAL BY DEFENDANT

Comes now the Defendant, J. C. Vernon, in the above styled cause, and appeals to the Court of Appeals of Alabama, from the final judgment rendered in this cause in and by the Circuit Court of Baldwin County, Alabama, Law sie, on, to-wit, the 26th day of May, 1964, and in which cause the Defendant's Motion For New Trial was overruled by the trial court on, to-wit, June 26<sup>th</sup>, 1964.

FILED

JUN 26 1964

Kenneth Cooper  
Attorney for Defendant

CLERK  
REGISTER

State of Alabama

Baldwin County

We, the undersigned, do hereby acknowledge ourselves as security for costs in the foregoing appeal.

J. C. Vernon  
Curtis R. Vernon  
George W. McMillan

Taken and approved this 26 day of June, 1964

Alvin French  
Clerk of Circuit Court

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

CERTIFICATE OF APPEAL. (Civil Cases.)

No. 5694

THE STATE OF ALABAMA

BALDWIN County.

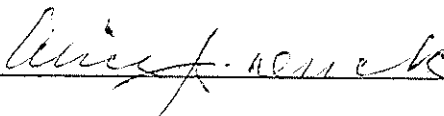
I, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, in and for said State and County, hereby certify that the foregoing pages numbered from one to \_\_\_\_\_, both inclusive, contain a full, true and complete transcript of the record and proceedings of said Court in a certain cause lately therein pending wherein JULIAN C. PRINE

was plaintiff, and J.C. VERNON

was Defendant, as fully and completely as the same appears of record in said Court.

And I further certify that the said J.C. VERNON did on the 26th day of June, 1964, pray for and obtain an appeal from the judgment of said Court to the Court of Appeals, Court of the State of Alabama to reverse said judgment of said Court upon entering into bond with J.C. Vernon, Curtis R. Vernon, George W. McMillan, as surety thereon, which said bond has been approved by me.

Witness my hand and the seal of said Circuit Court of Baldwin County is hereto affixed, this the 26th day of June, 1964

  
Clerk of the Circuit Court of  
Baldwin County, Alabama.

(Code 1940, Title 7, Sec. 767)

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon J. C. Vernon 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 the same, then and there to answer the complaint of Julian C. Prine.

WITNESS my hand this 26 day of August, 1963.

Alice J. Duck  
Clerk

\* \* \* \* \*

JULIAN C. PRINE,

Plaintiff,

VS.

J. C. VERNON,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

M. 5694

C O M P L A I N T

The Plaintiff claims of the Defendant Ten Hundred Sixty-two and 50/100 Dollars (\$1062.50), the balance due by promissory note made by the Defendant on the 24th day of December, 1962, and payable to the First National Bank of Bay Minette, Bay Minette, Alabama, in 18 equal installments of \$62.50 each, which said note was transferred and assigned to the Plaintiff on August 21, 1963, with interest thereon. Plaintiff avers that in and by the terms of the said note the Defendant agreed to pay all costs of collecting the said note, including a reasonable attorney's fee, which said fee the Plaintiff avers to be \$150.00, which he herewith claims.

X 20  
Attorney for Plaintiff

FILED  
AUG 26 1963  
ALICE J. DUCK, CLERK  
REGISTER

64-8-28-63

ived 26 day of Aug. 1963  
on 28 day of Aug. 1963  
ved a copy of the within 8 & C.

J. C. Vernon  
ervice on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By W. A. Sollitt D. S.  
3 miles South of  
B. M.

Sheriff claims 6 miles at  
Ten Cents per mile Total \$ .60  
TAYLOR WILKINS, Sheriff  
BY W. A. Sollitt  
DEPUTY SHERIFF

NO. 5694

Julian C. Prince  
vs  
J. C. Vernon

**FILED**

AUG 26 1963

ALICE J. DUCK, CLERK  
REGISTER

JULIAN C. PRINE

Plaintiff,

Vs.

J. C. VERNON

Defendant.

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

) AT LAW

) CASE No. \_\_\_\_\_

DEMURRER

Comes now the Defendant in above-styled cause, and demurs to the Complaint heretofore filed in this cause, and to each and every count thereof, separately and severally, and says:

1. The Complaint does not state a cause of action;
2. The Complaint does not allege that the promissory note is due and payable;
3. The Complaint does not allege the date the alleged promissory note was payable;
4. The Complaint does not allege the amount of the note alleged to be due.

*Kenneth Cooper*  
Kenneth Cooper  
Attorney For Defendant

The Defendant herein demands a trial by jury in this cause.

*Kenneth Cooper*  
Attorney For Defendant

Attorney of Record for Plaintiff  
Hon James A. Owen  
Bay Minette, Alabama

FILED

SEP 22 1967

ADRI L. OWEN, REGIS-4

JULIAN C. PRINE  
Plaintiff,  
vs.  
J. C. VERNON  
Defendant.

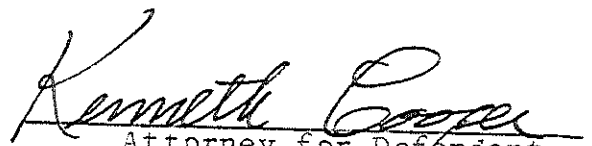
) IN THE CIRCUIT COURT OF  
)  
) BALDWIN COUNTY, ALABAMA  
)  
) AT LAW  
) CASE NO. 5694  
)  
)

ANSWER

1. The Defendant, for answer to the Complaint, saith that the allegations of the complaint are untrue.

2. Further comes the Defendant and, without any way confessing the Plaintiffs claim or demand, as a defense to the action of the Plaintiff, says: That at the time said action was commenced, the Plaintiff was indebted to the Defendant in the sum of One Thousand Seven Hundred and Nine (\$1,709.00) Dollars for this:

Plaintiff owed Defendant nine months rent for restaurant rented from Defendant in October, 1962; plus an additional Three Hundred and Fifty (\$350.00) Dollars for kitchen utensils lost or damaged by the Plaintiff which belonged to the Defendant, all for which said losses the Plaintiff is indebted to the Defendant in the sum of One Thousand Seven Hundred and Nine and NO/100 (\$1709.00) Dollars, which the Defendant hereby offers to set off against the demand of the Plaintiff, and the Defendant claims judgment for the excess.

  
Attorney for Defendant

Plaintiffs Attorney is

Hon James R. Owen  
Bay Minette, Alabama

FILED

JAN 6 1964

ALICE I. DUCK, CLERK  
REGISTER



JULIAN C. PRINE,

Plaintiff,

VS.

J. C. VERNON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

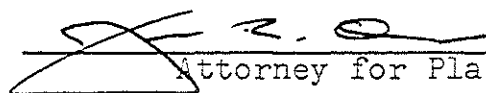
AMENDED COMPLAINT

Now comes the plaintiff in the above styled cause and amends the complaint heretofore filed in said cause so that as amended the said complaint will read as follows:

"The plaintiff claims of the defendant Ten Hundred Ten Dollars (\$1010.00), the balance due by promissory note made by the defendant on the 24th day of December, 1962, and payable to the First National Bank of Bay Minette, Bay Minette, Alabama, in 18 equal installments of \$62.50 each, which said note was transferred and assigned to the plaintiff on August 21, 1963, with interest thereon. Plaintiff avers that in and by the terms of the said note the defendant agreed to pay all costs of collecting the said note, including a reasonable attorney's fee, which said fee the plaintiff avers to be \$150.00, which he herewith claims.

/s/ JAMES R. OWEN

Attorney for Plaintiff"



Attorney for Plaintiff



Plaintiff owed the Defendant nine months rent, <sup>at \$15.00 per month</sup> for restaurant, known then as Vernon's Cafe, rented from Defendant in ~~October~~ <sup>September</sup> 1962; plus an additional Three Hundred and Fifty (\$350.00) Dollars for kitchen utensils, to-wit, pots, pans, glasses, silverware, skillets, chairs, and other cooking equipment, lost or damaged by the Plaintiff while <sup>the Plaintiff</sup> was operating said restaurant, which utensils belonged to the Defendant, all for which <sup>said</sup> the Plaintiff is indebted to the Defendant in the sum of One Thousand Seven Hundred and Nine and no/100 (\$1,709.00) Dollars, which the Defendant hereby offers to set off against the demand of the Plaintiff. And the Defendant claims judgment for the sum

Kenneth Cooper  
 Attorney for Defendant

Julian C. Price,  
 Plaintiff.

J.C. Vernon,  
 Defendant

to The Circuit Court of  
 Baldwin County, Alabama

Amended Answer and Cross-Bill.  
 1. The Defendant, for answer to the Complaint, avers that the allegations of the Amended Complaint are untrue.

2. Further comes the Defendant and without in any way confessing the Plaintiff's claim or demand, as a defense to the action of the Plaintiff, says: That at the time said action was commenced, the Plaintiff was indebted to the Defendant in the sum of One Thousand Seven Hundred and Nine (\$1,709.00) dollars, for this:

Filed May 26, 1964  
 Alice J. Duck

4000  
 Commenced the  
 30th day of Dec. 1962  
 and ended 1st Jan. 1963

JAN 21 1965

THE STATE OF ALABAMA - - - - - JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

OCTOBER TERM, 1964-65

I Div. 246

J. C. Vernon

v.

Julian C. Price

Appeal from Baldwin Circuit Court

MERRILL, JUSTICE.

Appeal from a judgment for plaintiff on a note and from a judgment denying a motion for a new trial. The case was tried by the court without a jury.

2.

Appellant's first assignment of error is that the court erred in overruling his demurrer to the complaint. Assuming, without deciding, that the court erred, the trial was had on an amended complaint. Any ruling adverse to the defendant on the original count is immaterial. Drummond v. Drummond, 212 Ala. 242, 102 So. 112. No ruling on the demurrer to the amended count is assigned as error, and therefore, the sufficiency of the count cannot be considered on appeal. McAnelly Hardware Co. v. Bemis Bros. Bag Co., 208 Ala. 394, 94 So. 567.

Assignments of error 2, 3, 4 and 5 complain of the sustaining of objections to questions asked by appellant. In each instance the questions called for information irrelevant and immaterial to the issue and the objections were properly sustained in each instance.

Assignments 6, 7, 8 and 9 charge that the judgment is contrary to the evidence, the law, the law and the evidence, and the facts in the case. These are not proper assignments of error and present nothing for review. Lyle v. Winston County, 274 Ala. 581, 150 So. 2d 706; Roan v. Smith, 272 Ala. 538, 133 So. 2d 224; Morris v. Yancey, 272 Ala. 549, 132 So. 2d 754; Ex parte Noble, 267 Ala. 488, 102 So. 2d 902; King v. Jackson, 264 Ala. 339, 87 So. 2d 623.

Assignment of error 10 reads:

"The Court erred in finding that the defendant owed any amount of money to the plaintiff."

3.

The evidence was in conflict, but plaintiff's evidence, if believed by the court, was sufficient to support a judgment in his favor.

The final assignment charges error in the refusal of the trial court to grant the motion for a new trial. The only argument in brief on this point relates to the weight of the evidence.

Where there is evidence which, if believed, supports the verdict, or, as here, the judgment of the court, it should not be set aside because it is against the mere preponderance of the evidence. Dean v. Mayes, 274 Ala. 88, 145 So. 2d 439; Mulkin v. McDonough Construction Co. of Ga., 266 Ala. 281, 95 So. 2d 921, and cases there cited. And where there is evidence which, if believed, justified the verdict, the motion for a new trial is properly overruled. Authorities supra.

AFFIRMED.

Livingston, C. J., Simpson and Harwood, JJ., concur.

STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

1 Div., No. 246

J. C. Vernon, Appellant,

v.

Julian C. Prine, Appellee,

From Baldwin Circuit Court.

The State of Alabama. }  
City and County of Montgomery. }

I, J. Render Thomas, Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing pages numbered from one to three inclusive, contain a full, true, and correct copy of the opinion of

said Supreme Court in the above stated cause, as the same appears and remains of record and on file in this office.

Witness, J. Render Thomas, Clerk of the Supreme

Court of Alabama, this the 21st day of

January 19 65

  
Clerk of the Supreme Court of Alabama

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THE SUPREME COURT OF ALABAMA

1 Div., No. 246

J. C. Vernon

*Appellant,*

*v.*

Julian C. Prine

*Appellee.*

*From* Baldwin Circuit *Court.*

---

*Certified Copy of*

Opinion

---

BROWN PRINTING CO., MONTGOMERY

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

October Term, 19 64-65

To the Clerk of the Circuit Court,

Baldwin County—Greeting:

Whereas, the Record and Proceedings of the Circuit Court \_\_\_\_\_  
of said county, in a certain cause lately pending in said Court between

J. C. Vernon, Appellant,

and

Julian C. Prine, Appellee,

wherein by said Court it was considered adversely to said appellant, were brought before our  
Supreme Court, by appeal taken, pursuant to law, on behalf of said appellant:

NOW, IT IS HEREBY CERTIFIED, That it was thereupon considered, ordered, and adjudged by  
our Supreme Court, on the 21 day of January, 19 65, that said

Judgment of said Circuit Court be in all things

affirmed, and that it was further considered, ordered, and adjudged that the appellant, and

Curtis R. Vernon and George W. McMillan, sureties on the supersedeas  
bond, pay the amount of the judgment of the Circuit Court and ten  
per cent damages thereon and interest and

the costs accruing on said appeal in this Court and in the Court below.

It is further certified that, it appearing that said parties have waived their rights of exemption  
under the laws of Alabama, it was ordered that execution issue accordingly.

Witness, J. Render Thomas, Clerk of the Supreme

Court of Alabama, this the 21st day of

January, 19 65

  
Clerk of the Supreme Court of Alabama.

5694

THE SUPREME COURT OF ALABAMA

October Term, 19 64-65

1 Div., No. 246

J. C. Vernon

*Appellant,*

*vs.*

Julian C. Prine

*Appellee.*

From Baldwin Circuit Court

CERTIFICATE OF  
AFFIRMANCE

The State of Alabama,

Baldwin County. } Filed

this 23 day of January 1965

Chief Clerk



JULIAN C. PRINE,  
Plaintiff,

VS.

J. C. VERNON,  
Defendant,

AND

BALDWIN COUNTY BANK, a  
Corporation,  
Garnishee.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

5694 1/2

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

Personally appeared before me, the undersigned authority, James R. Owen, who first being duly sworn deposes and says: That on May 27, 1964, the plaintiff, Julian C. Prine, recovered a judgment against J. C. Vernon for the sum of Twelve Hundred Five and 45/100 Dollars (\$1205.45) and for the further sum of Thirty and 85/100 Dollars (\$30.85), costs of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that Baldwin County Bank, a Corporation, has or is believed to have in its possession or under its control, money or effects belonging to the defendant or that Baldwin County Bank, a Corporation, is believed to be indebted to the 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.

Sworn to and subscribed before me  
on this the 3rd day of June, 1964.

Ernie B. Blackmon  
Notary Public, Baldwin County, Alabama

FILED

JUN 3 1964

ALICE J. DUCK, CLERK  
REGISTER

622

JULIAN C. PRINE,

Plaintiff,

VS.

J. C. VERNON,

Defendant,

AND

BALDWIN COUNTY BANK, a  
Corporation,

Garnishee.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to notify J. C. Vernon that on the 3<sup>rd</sup> day of June, 1964, a writ of garnishment in the above stated case was issued to Baldwin County Bank, a Corporation, as garnishee.

And you will return this writ according to law.

WITNESS my hand this 3 day of June, 1964.

Alice J. Clark  
Clerk

64-6-17-64

56947m

Julian C. Pine

vs.

J. C. Vernon

Received 4 day of June 1964  
and on 17 day of June 1964  
I served a copy of the within Notice  
on J. C. Vernon

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By W. A. Salbert

4 miles west of B.M.

Sheriff claims 8 miles at  
Ten Cents per mile Total \$ 80.00  
TAYLOR WILKINS, Sheriff  
By Salbert  
DEPUTY SHERIFF

FILED

JUN 3 1964

ALICE I. DUCK, CLERK  
REGISTRAR

Jas. R. Oliver

JULIAN C. PRINE,

Plaintiff,

VS.

J. C. VERNON,

Defendant,

AND

BALDWIN COUNTY BANK, a  
Corporation,

Garnishee.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

5694 1/2

WRIT

STATE OF ALABAMA )

\*

BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

WHEREAS, James R. Owen has made affidavit as required by law that on May 27, 1964, in the Circuit Court of Baldwin County, Alabama, Julian C. Prine recovered a judgment against J. C. Vernon for the sum of Twelve Hundred Five and 45/100 Dollars (\$1205.45) and the further sum of Thirty and 85/100 Dollars (\$30.85), costs of suit; and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that Baldwin County Bank, a Corporation, has, or is believed to have in its possession or under its control, money or effects belonging to the defendant, or that Baldwin County Bank, a Corporation, is believed to be indebted to the 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.

These are, therefore, to command you, that you summon the said Baldwin County Bank, a Corporation, to be and appear at the next term of the Circuit Court of Baldwin County, Alabama, to be held for said county, 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 as Clerk of said Court on this the 3rd day of June, 1964.

Alice D. Clark  
Clerk

EX-6-10-64

54579  
54590

5694 1/2

Received 4 day of June 1964  
on 16 day of June 1964  
over a copy of the within sub  
Baldwin Co. Bank

Julian C. Paine

service on Mr E. Davidson  
Dues

us.

TAYLOR WILKINS, Sheriff

By W. A. Talbot

om

J. C. Vernon  
Dept.

Baldwin Co. Bank

Garrison

FILED

JUN 4 1964

ALICE J. DUCK, CLERK  
REGISTER

Jas. R. Weaver

JULIAN C. PRINE,

Plaintiff,

VS.

J. C. VERNON,

Defendant,

AND

BALDWIN COUNTY BANK, a  
Corporation,

Garnishee.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5694 $\frac{1}{2}$

ANSWER OF GARNISHEE

Now comes Baldwin County Bank, a Corporation, on this 16th day of June, 1964, acting by and through J. A. Wurst, as its Cashier, who, being duly sworn deposes and says that he is an officer of said garnishee and has personal knowledge of the facts herein stated and is authorized to sign this answer to said garnishment and for answer to same says:

That at the time of the service of said writ of garnishment, and that at the time of making this answer, the said garnishee was indebted to the said defendant, J. C. Vernon, in the sum of Six Hundred Forty-eight and 42/100 Dollars (\$648.42) and that the said garnishee will not be indebted in the future to said defendant by contract then or now existing; that said Baldwin County Bank 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 that the said garnishee has not in its possession or under its control money or effects belonging to the defendant, other than as aforesaid.

Having fully answered said garnishment, the said garnishee prays to be hence dismissed, with its reasonable costs for making this answer.

BALDWIN COUNTY BANK, a Corporation,

By J. A. Wurst  
As its Cashier

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

Before me, the undersigned authority, personally appeared  
J. A. Wurst, who first being duly and legally sworn deposes and says:  
That he has read over the foregoing answer and that the facts stated  
therein are true.

*J. A. Wurst*

Sworn to and subscribed before me  
on this the 16th day of June, 1964.

*Evelyn N. Bryars*  
Notary Public, Baldwin County, Alabama

FILED

JUN 17 1964

ALICE L. DUCK, CLERK  
REGISTER



THE STATE OF ALABAMA  
Baldwin County - Circuit Court

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

Whereas, at a Term of the Circuit Court of Baldwin County, held on the \_\_\_\_\_  
26th day of May, 1964, ~~Monday~~ in \_\_\_\_\_, 1964, in a cer-  
tain cause in said Court wherein Julian C. Prine,  
Plaintiff, and J.C. Vernon  
Defendant, a judgement was rendered against said  
J.C. Vernon  
to reverse which Judgment \_\_\_\_\_, the said J.C. Vernon  
applied for and obtained from this office an APPEAL, returnable to the next  
Term of our Courts of Appeal Court of the State of Alabama, to be held at Montgomery, on  
the \_\_\_\_\_ day of \_\_\_\_\_, 1964 next, and the necessary bond  
with  
having been given by the said J.C. Vernon, / Curtis R. Vernon, and George W. McMillan,  
\_\_\_\_\_, sureties,

Now, You Are Hereby Commanded, without delay, to cite the said Julian C. Prine  
\_\_\_\_\_ or James R. Owen  
\_\_\_\_\_, attorney, to appear at the Next \_\_\_\_\_ Term of our  
Court of Appeals  
said ~~Superior~~ Court, to defend against the said Appeal, if they think proper.

Witness, ALICE J. DUCK, Clerk of the Circuit Court of said County, this 26th  
day of June, A. D., 1964.

Attest:

*Alice J. Duck*, Clerk.

CASE NO. 5694

---

CIRCUIT COURT  
Baldwin County, Alabama

---

JULIAN C. PRINE

Vs. { Citation in Appeal

J.C. VERNON,

---

Issued 26th day of June, 1964

---

Given 2 day of July 19 64  
on 6 day of July 1964  
served copy of the within  
James R. Owen  
service on

TAYLOR WILKINS, Sheriff  
By *W. H. Tolbert* D. S.  
*om*

Julian C. Prine  
vs  
J. C. Vernon

At Law  
Case NO. 5694

SUPERSEDEAS BOND

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we, J. C. Vernon,  
CURTIS R. VERNON, GEORGE W. McMILLIAN,  
are held and firmly bound unto Julian C. Prine in the just and full  
sum of Two Thousand Four Hundred Eighty-five and 40/100 (\$2,485.40)  
Dollars, for the payment of which, well and truly to be made and  
done, we bind ourselves, and each of us, our and each of our heirs,  
executors and administrators, jointly and severally, firmly by these  
presents.

Sealed with our seals and dated this 26 day of June, 1964.

The condition of the above obligation is such, that whereas,  
Julian C. Prine obtained a judgment in the above styled cause in the  
Circuit Court of Baldwin County, at Law, on the 26th day of May, e  
1964, from which judgment the said J.C. Vernon has obtained an appeal  
returnable to the next term of the Court of Appeals of Alabama.

Now, therefore, if the said J.C. Vernon shall prosecute the said  
appeal to effect, and satisfy such decree as may be rendered against  
him in said cause by the Court of Appeals, then this obligation is to  
be null and void, otherwise to remain in full force and effect.

And we, and each of us, hereby waive all rights to or claim of  
exemption as to personal property we or either of us have now or may  
hereafter have, under the Constitution and Laws of the State of Alabama,  
and we hereby severally certify that we have property free from all  
incumbrances to the full amount of the above bond.

Witness our hands and seals this 26 day of June, 1964.

J. C. Vernon (SEAL)  
Curtis R. Vernon (SEAL)  
George W. McMillan (SEAL)

Taken and approved this 24 day of June, 1964.

Rice J. Smith

FILED

JUN 26 1964

ALICE L. DUCK, CLERK  
REGISTER