

ENDICOTT JOHNSON CORPORATION,  
A Corporation,

Plaintiff,

VS.

CECIL R. GARNER and  
FLORA MAE GARNER, Ind. and d/b/a  
THE FAMILY SHOE STORE,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.


2807

C O M P L A I N T

Count I.

The Plaintiff claims of the Defendants the sum of ONE THOUSAND FIVE HUNDRED NINETY-SIX AND 90/100 (\$1,596.90) Dollars due by promissory note made by them on, to-wit, the 1st day of August, 1963, and payable in monthly installments of SIXTY AND NO/100 (\$60.00) DOLLARS, beginning 1 September, 1963, and payable on the 1st of each consecutive month thereafter, until the whole sum, with interest at SIX PER CENT is paid in full; and the Plaintiff avers that the Defendants defaulted in the payment due October 1st, 1963, and the Plaintiff under the terms of said note declared the entire unpaid balance due and payable;

And the Plaintiff avers that in said note and as a part of the consideration thereof, the Defendants have expressly waived their right to claim personal property as exempt to them under the Constitution and laws of the State of Alabama and agreed to pay an attorney's fee for the collection thereof, and the Plaintiff hereby claims the further sum of TWO HUNDRED THIRTY-NINE AND 54/100 (\$239.54) DOLLARS as such attorney's fee.

  
E. G. RICKARBY, Attorney for  
Plaintiff.

FILED

NOV 9 1963

ALICE J. DUCK, CLERK  
REGISTER

ENDICOTT JOHNSON CORPORATION, Ø  
A Corporation,

Plaintiff,

VS.

CECIL R. GARNER and FLORA  
MAE GARNER, Individually and  
doing business as THE FAMILY  
SHOE STORE,

Defendants.

Ø

IN THE CIRCUIT COURT OF

Ø

BALDWIN COUNTY, ALABAMA,

Ø

AT LAW.

Ø

AFFIDAVIT FOR SERVICE ON NON-RESIDENT UNDER  
SECTION 199 (1) of TITLE 7, CODE OF  
ALABAMA.

STATE OF ALABAMA,  
COUNTY OF BALDWIN.

Before me, the undersigned notary public, in and  
for said County, in said State, personally appeared E. G.  
RICKARBY, who, being by me first duly sworn, deposes and says:

That he is the attorney for ENDICOTT JOHNSON COR-  
PORATION, a corporation, the Plaintiff in this cause;

That the residences of the Defendants, CECIL R.  
GARNER and FLORA MAE GARNER, are Crestview, Florida, and that  
they are non-residents of the State of Alabama, and that the  
said CECIL R. GARNER and FLORA MAE GARNER are doing business  
in this State, namely, they are operating a shoe store in the  
City of Fairhope, Baldwin County, Alabama;

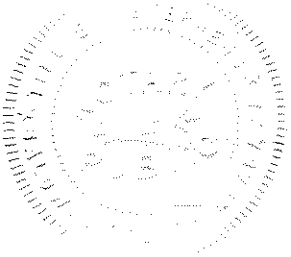
That the last known post office address of said De-  
fendants, CECIL R. GARNER and FLORA MAE GARNER, is "care of  
Family Shoe Store, 290 North Main Street, Crestview, Florida".

WHEREFORE, the Plaintiff prays that the Clerk of this  
Circuit Court will attach a copy of this affidavit to each copy  
of the Summons and Complaint and forward the original Summons  
and Complaint in this cause and six copies thereof to the Sheriff  
of Montgomery County for service on the Secretary of State, as  
agent of said Defendants as provided by Section 199 (1), of  
Title 7, of the Code of Alabama, as amended September 8, 1961.

  
Affiant

SWORN TO AND SUBSCRIBED before me on this the 17<sup>th</sup>  
day of November, 1963.

*T. M. H. Stephens*  
Notary Public, Baldwin County, Alabama.



FILED

NOV 8 1963

ALMA L. WALKER, CLERK  
REGISTER

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 5812

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CECIL R. GARNER and FLORA MAE GARNER,  
individually, and doing business as THE FAMILY SHOE STORE,

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 CECIL R. GARNER  
SHOE STORE,  
AND FLORA MAE GARNER, individually & d/b/a The FAMILY/ Defendant. S.....

by ENDICOTT JOHNSON CORPORATION, a corporation.

\_\_\_\_\_, Plaintiff

Witness my hand this 9th day of November 1943

Alice J. Duck, Clerk

No. 5807

Page

THE STATE OF ALABAMA  
BALDWIN COUNTY

**CIRCUIT COURT**

ENDICOTT JOHNSON CORPORATION,

Plaintiffs

VS.

CECIL R. GARNER and FLORA MAE

GARNER, Ind. and d/b/a  
THE FAMILY SHOE STORE,

## Defendants

# SUMMONS and COMPLAINT

Filed

19.

Clerk

FILED

Nov 9 1963

ALICE L. DUCK, CLERK  
REGISTER

E. G. RICKARBY

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

290 North Main Street  
Crestview, Florida

RECEIVED IN OFFICE

19

Sheriff

I have executed this summons

this \_\_\_\_\_ 19

by leaving a copy with

Sheriff

Deputy Sheriff

# RECEIPT

Nº 4559

THE STATE OF ALABAMA, BALDWIN COUNTY  
CIVIL DIVISION CIRCUIT COURT

Case No. 5-807

Date 11-9, 1963

RECEIVED OF E. G. Riskasby (Candicott Johnson vs. Garner  
the sum of Twenty-Five & 00/100

Trial Tax	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$

2.00

Alice J. Duck  
As Circuit Clerk, Baldwin County, Ala.

Total \$ 25.00

By \_\_\_\_\_

The Baldwin Times, Bay Minette, Ala.

LAW OFFICES  
E. G. RICKARBY  
392 FAIRHOPE AVENUE  
FAIRHOPE, ALABAMA

November 6, 1963

Mrs. Alice Duck  
Clerk of the Circuit Court  
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: Endicott Johnson Corporation  
Vs: Cecil R. Garner & Flora Mae #5807  
Garner, Ind. and d/b/a The  
Family Shoe Store  
Our File: 63-191

Enclosed find Summons and Complaint, together with deposit for costs in the sum of \$25.00 on suit on a promissory note in the above cause. Also, you will find 7 copies of affidavit for service on non-resident which I ask that you process for me, the defendants being non-residents of this State.

Please have the Secretary of State perfect service on Mr. and Mrs. Garner by mailing them copies of the complaint at their address in Florida, as shown under provisions of Title 7, Section 199 (1) of the 1940 Code of Alabama and Supplement thereto.

Yours very truly,



ts  
encl.  
cc: Frost-Arnett Company.

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY  
No. 5807  
TERM, 1963

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Comanded to Summon CECIL R. GARNER and FLORA MAE GARNER,  
individually, and doing business as THE FAMILY SHOE STORE,

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 CECIL R. GARNER  
SHOE STORE,  
AND FLORA MAE GARNER, individually & d/o/a The FAMILY/, Defendant S

by ENDICOTT JOHNSON CORPORATION, a corporation.

\_\_\_\_\_, Plaintiff

Witness my hand this 9<sup>th</sup> day of November 1963

Alice J. Duck, Clerk



No. \_\_\_\_\_

Page \_\_\_\_\_

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

**CIRCUIT COURT**

INDICOTT JOHNSON CORPORATION,

Plaintiffs

vs.

CECIL R. GARNER and FLORA MAE  
GARNER, Ind. and d/b/a  
THE FAMILY SHOE STORE, Defendants

**SUMMONS and COMPLAINT**

Filed \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, Clerk

E. G. RICKARBY

Plaintiff's Attorney

\_\_\_\_\_  
Defendant's Attorney

Defendant lives at

290 North Main Street  
Crestview, Florida

RECEIVED IN OFFICE

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, Sheriff

I have executed this summons

this \_\_\_\_\_, 19\_\_\_\_

by leaving a copy with

\_\_\_\_\_, Sheriff

\_\_\_\_\_, Deputy Sheriff

ENDICOTT JOHNSON CORPORATION,  
A Corporation,

Plaintiff,

VS.

CECIL R. GARNER and  
FLORA MAE GARNER, Ind. and d/b/a  
THE FAMILY SHOE STORE,

Defendants.

Q

Q

Q

Q

Q

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.


5807

C O M P L A I N T

Count I.

The Plaintiff claims of the Defendants the sum of ONE THOUSAND FIVE HUNDRED NINETY-SIX AND 90/100 (\$1,596.90) Dollars due by promissory note made by them on, to-wit, the 1st day of August, 1963, and payable in monthly installments of SIXTY AND NO/100 (\$60.00) DOLLARS, beginning 1 September, 1963, and payable on the 1st of each consecutive month thereafter, until the whole sum, with interest at SIX PER CENT is paid in full; and the Plaintiff avers that the Defendants defaulted in the payment due October 1st, 1963, and the Plaintiff under the terms of said note declared the entire unpaid balance due and payable;

And the Plaintiff avers that in said note and as a part of the consideration thereof, the Defendants have expressly waived their right to claim personal property as exempt to them under the Constitution and laws of the State of Alabama and agreed to pay an attorney's fee for the collection thereof, and the Plaintiff hereby claims the further sum of TWO HUNDRED THIRTY-NINE AND 54/100 (\$239.54) DOLLARS as such attorney's fee.

  
E. G. RICKARBY, Attorney for  
Plaintiff.

FILED

NOV 9 1963

ALICE I. DUCK, CLERK  
REGISTER

EMILSON JOHNSON CORPORATION, §  
A Corporation,

Plaintiff, §

Vs. §

CECIL R. GARNER and FLORA  
MAE GARNER, Individually and  
doing business as THE FAMILY  
SHOE STORE, §

Defendants. §

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AS LAW.

AFFIDAVIT FOR SERVICE ON NON-RESIDENT UNDER  
SECTION 199 (1) OF TITLE 7, CODE OF  
ALABAMA.

STATE OF ALABAMA,

COUNTY OF BALDWIN.

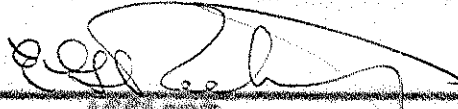
§ Before me, the undersigned notary public, in and  
for said County, in said State, personally appeared E. G.  
RICHARDS, who, being by me first duly sworn, deposes and says:

That he is the attorney for EMILSON JOHNSON COR-  
PORATION, a corporation, the Plaintiff in this cause;

That the residences of the Defendants, CECIL R.  
GARNER and FLORA MAE GARNER, are Crestview, Florida, and that  
they are non-residents of the State of Alabama, and that the  
said CECIL R. GARNER and FLORA MAE GARNER are doing business  
in this State, namely, they are operating a shoe store in the  
City of Fairhope, Baldwin County, Alabama;

That the last known post office address of said De-  
fendants, CECIL R. GARNER and FLORA MAE GARNER, is "care of  
Family Shoe Store, 250 North Main Street, Crestview, Florida".

WHEREFORE, the Plaintiff prays that the Clerk of this  
Circuit Court will attach a copy of this affidavit to each copy  
of the Summons and Complaint and forward the original Summons  
and Complaint in this cause and six copies thereof to the Sheriff  
of Montgomery County for service on the Secretary of State, as  
agent of said Defendants as provided by Section 199 (1), of  
Title 7, of the Code of Alabama, as amended September 3, 1961.

  
\_\_\_\_\_  
Affiant

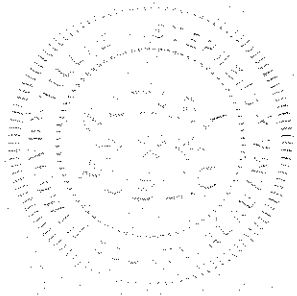
FILED

NOV 9 1963

ALICE J. DUCK, CLERK  
REG.

SWORN TO AND SUBSCRIBED before me on this the 7<sup>th</sup>  
day of November, 1963.

Lillian H. Stephens  
Notary Public, Baldwin County, Alabama.



FILED  
NOV 8 1963  
ALICE J. DUM, CLERK  
BALDWIN COUNTY, ALABAMA

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY  
No. 5807  
TERM, 1933

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CECIL R. GARNER and FLORA MAE GARNER,  
individually, and doing business as THE FAMILY SHOE STORE,

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 CECIL R. GARNER  
SHOE STORE,  
AND FLORA MAE GARNER, individually & d/o/a The FAMILY/, Defendant S

by ENDICOTT JOHNSON CORPORATION, a corporation.

Plaintiff

Witness my hand this

9th

day of

November 1933

Alice J. Duck

Clerk

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

**CIRCUIT COURT**

~~INDICOTT JOHNSON CORPORATION,~~

Plaintiffs

vs.

~~CECIL R. GARNER and FLORA MAE~~

~~GARNER, Inc. and d/b/a~~

~~THE FAMILY SHOE STORE,~~ Defendants

**SUMMONS and COMPLAINT**

Filed \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, Clerk

~~E. G. RICKABY~~

Plaintiff's Attorney

\_\_\_\_\_  
Defendant's Attorney

Defendant lives at

290 North Main Street

~~Crestview, Florida~~

RECEIVED IN OFFICE

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, Sheriff

I have executed this summons

this \_\_\_\_\_, 19\_\_\_\_

by leaving a copy with

\_\_\_\_\_, Sheriff

\_\_\_\_\_, Deputy Sheriff

ENDICOTT JOHNSON CORPORATION,  
A Corporation,

Plaintiff,

VS.

CECIL R. GARNER and  
FLORA MAE GARNER, Ind. and d/b/a  
THE FAMILY SHOE STORE,  
Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

5807

C O M P L A I N T

Count I.

The Plaintiff claims of the Defendants the sum of ONE THOUSAND FIVE HUNDRED NINETY-SIX AND 90/100 (\$1,596.90) Dollars due by promissory note made by them on, to-wit, the 1st day of August, 1963, and payable in monthly installments of SIXTY AND NO/100 (\$60.00) DOLLARS, beginning 1 September, 1963, and payable on the 1st of each consecutive month thereafter, until the whole sum, with interest at SIX PER CENT is paid in full; and the Plaintiff avers that the Defendants defaulted in the payment due October 1st, 1963, and the Plaintiff under the terms of said note declared the entire unpaid balance due and payable;

And the Plaintiff avers that in said note and as a part of the consideration thereof, the Defendants have expressly waived their right to claim personal property as exempt to them under the Constitution and laws of the State of Alabama and agreed to pay an attorney's fee for the collection thereof, and the Plaintiff hereby claims the further sum of TWO HUNDRED THIRTY-NINE AND 54/100 (\$239.54) DOLLARS as such attorney's fee.

  
E. G. RICKARBY, Attorney for  
Plaintiff.

FILED

NOV 9 1963

ALICE J. DUCK, CLERK  
REGISTER

INDICOTT JOHNSON CORPORATION, §  
A Corporation,

Plaintiff,

vs.

CECIL E. GARNER and FLORA  
MAE GARNER, Individually and  
doing business as THE FAMILY  
SHOE STORE,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

at Law.

AFFIDAVIT FOR SERVICE ON NON-RESIDENT UNDER  
SECTION 199 (1) of TITLE 7, CODE OF  
ALABAMA.

STATE OF ALABAMA,

COUNTY OF BALDWIN.

Before me, the undersigned notary public, in and  
for said County, in said State, personally appeared E. C.  
RICHARDS, who, being by me first duly sworn, deposes and says:

That he is the attorney for INDICOTT JOHNSON COR-  
PORATION, a corporation, the Plaintiff in this cause;

That the residences of the Defendants, CECIL E.  
GARNER and FLORA MAE GARNER, are Crestview, Florida, and that  
they are non-residents of the State of Alabama, and that the  
said CECIL E. GARNER and FLORA MAE GARNER are doing business  
in this State, namely, they are operating a shoe store in the  
City of Fairhope, Baldwin County, Alabama;

That the last known post office address of said De-  
fendants, CECIL E. GARNER and FLORA MAE GARNER, is "care of  
Family Shoe Store, 290 North Main Street, Crestview, Florida".

WHEREFORE, the Plaintiff prays that the Clerk of this  
Circuit Court will attach a copy of this affidavit to each copy  
of the Summons and Complaint and forward the original Summons  
and Complaint in this cause and six copies thereof to the Sheriff  
of Montgomery County for service on the Secretary of State, as  
agent of said Defendants as provided by Section 199 (1), of  
Title 7, of the Code of Alabama, as enacted September 8, 1961.

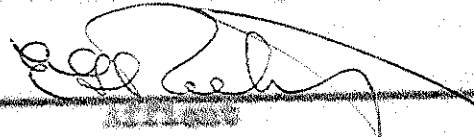
FILED

NOV

1963

ALICE J. DICK

CLERK  
REGISTER

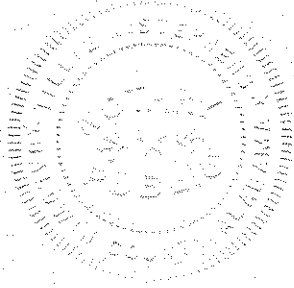
  
Affiant



WORN TO AND SUBSCRIBED before me on this the

7th

day of November, 1963.



Lillian K. Stephens

Notary Public, Baldwin County, Alabama.

FILED

NOV 8 1963

ALICE J. DUSK CLERK  
REGISTERED

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY  
No. 5807  
TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CECIL R. GARNER and FLORA MAE GARNER,  
individually, and doing business as THE FAMILY SHOE STORE,

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 CECIL R. GARNER  
SHOE STORE,  
AND FLORA MAE GARNER, individually & d/b/a The FAMILY/ Defendant. S.....  
by ENDICOTT JOHNSON CORPORATION, a corporation.

\_\_\_\_\_, Plaintiff.....  
Witness my hand this 9th day of November 1963

Alvin J. Luck, Clerk

No. \_\_\_\_\_

Page \_\_\_\_\_

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

**CIRCUIT COURT**

~~INDICOTT JOHNSON CORPORATION,~~

Plaintiffs

vs.

~~CECIL R. GARNER and FLORA MAE~~  
~~GARNER, Ind. and d/o/a~~  
~~THE FAMILY SHOE STORE,~~ Defendants

**SUMMONS and COMPLAINT**

Filed \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, Clerk

~~R. C. RICHARD~~

Plaintiff's Attorney

\_\_\_\_\_  
Defendant's Attorney

Defendant lives at

~~290 North Main Street~~  
~~Crestview, Florida~~  
RECEIVED IN OFFICE

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, Sheriff

I have executed this summons

this \_\_\_\_\_, 19\_\_\_\_

by leaving a copy with

\_\_\_\_\_, Sheriff

\_\_\_\_\_, Deputy Sheriff

ENDICOTT JOHNSON CORPORATION,  
A Corporation,

Plaintiff,

VS.

CECIL R. GARNER and  
FLORA MAE GARNER, Ind. and d/b/a  
THE FAMILY SHOE STORE,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.


5807

C O M P L A I N T

Count I.

The Plaintiff claims of the Defendants the sum of ONE THOUSAND FIVE HUNDRED NINETY-SIX AND 90/100 (\$1,596.90) Dollars due by promissory note made by them on, to-wit, the 1st day of August, 1963, and payable in monthly installments of SIXTY AND NO/100 (\$60.00) DOLLARS, beginning 1 September, 1963, and payable on the 1st of each consecutive month thereafter, until the whole sum, with interest at SIX PER CENT is paid in full; and the Plaintiff avers that the Defendants defaulted in the payment due October 1st, 1963, and the Plaintiff under the terms of said note declared the entire unpaid balance due and payable;

And the Plaintiff avers that in said note and as a part of the consideration thereof, the Defendants have expressly waived their right to claim personal property as exempt to them under the Constitution and laws of the State of Alabama and agreed to pay an attorney's fee for the collection thereof, and the Plaintiff hereby claims the further sum of TWO HUNDRED THIRTY-NINE AND 54/100 (\$239.54) DOLLARS as such attorney's fee.

  
E. G. RICKABY, Attorney for  
Plaintiff.

FILED

NOV 1963

ALICE J. DUCK, CLERK  
REGISTER

EMILSON JOHNSON CORPORATION, ( )  
a Corporation,

Plaintiff, ( )

IN THE CIRCUIT COURT OF

VS. ( )

BALDWIN COUNTY, ALABAMA, ( )

OSWALD E. GARNER and FLORA  
MAE GARNER, Individually and  
doing business as THE FAMILY  
SHOE STORE, ( )

AS LAW.

Defendants. ( )

AFFIDAVIT FOR SERVICE ON NON-RESIDENT UNDER  
SECTION 199 (1) OF TITLE 7, CODE OF

ALABAMA.

STATE OF ALABAMA,  
COUNTY OF BALDWIN.

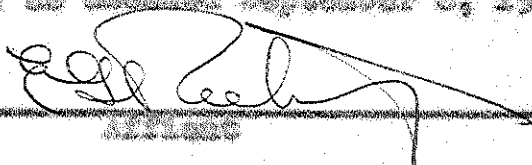
I Before me, the undersigned notary public, in and  
for said County, in said State, personally appeared E. G.  
WICKHAM, who, being by me first duly sworn, deposes and says:

That he is the attorney for EMILSON JOHNSON COR-  
PORATION, a corporation, the Plaintiff in this cause;

That the residences of the Defendants, OSWALD E.  
GARNER and FLORA MAE GARNER, are Crestview, Florida, and that  
they are non-residents of the State of Alabama, and that the  
said OSWALD E. GARNER and FLORA MAE GARNER are doing business  
in this State, namely, they are operating a shoe store in the  
City of Fairhope, Baldwin County, Alabama;

That the last known post office address of said De-  
fendants, OSWALD E. GARNER and FLORA MAE GARNER, is "care of  
Family Shoe Store, 290 North Main Street, Crestview, Florida".

WHEREFORE, the Plaintiff prays that the Clerk of this  
Circuit Court will attach a copy of this affidavit to each copy  
of the Summons and Complaint and forward the original Summons  
and Complaint in this cause and six copies thereof to the Sheriff  
of Montgomery County for service on the Secretary of State, as  
agent of said Defendants as provided by Section 199 (1), of  
Title 7, of the Code of Alabama, as amended September 8, 1961.

  
Attorney

FILED

NOV

1963

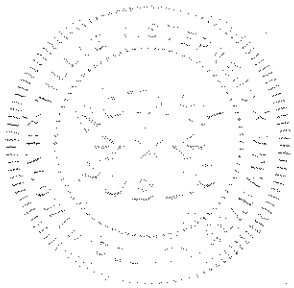
WITNESSES TO AND SUBSCRIBED before me on this the

17<sup>th</sup>

day of November, 1963.

Lillie H. Stephens

Notary Public, Baldwin County, Alabama.



FILED

NOV 6 1963

ALICE J. DUCK, CLERK  
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 5807-----

-----TERM. 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon CECIL R. GARNER and FLORA MAE GARNER, Ind. &

d/b/a THE FAMILY SHOE STORE

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 CECIL R. GARNER & FLORA  
MAE GARNER, Ind. & d/b/a THE FAMILY SHOE STORE-----, Defendant-----

by ENDICOTT JOHNSON CORPORATION, A Corporation-----

-----, Plaintiff-----

Witness my hand this 9th day of November 19 63

Alice J. Duck, Clerk

HENDICOTT JOHNSON CORPORATION,  
A Corporation,

Plaintiff,

VS.

CECIL R. GARNER and  
FLORA MAE GARNER, Ind. and d/b/a  
THE FAMILY SHOE STORE,  
Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

5817

C O M P L A I N T

Count I.

The Plaintiff claims of the Defendants the sum of ONE THOUSAND FIVE HUNDRED NINETY-SIX AND 90/100 (\$1,596.90) Dollars due by promissory note made by them on, to-wit, the 1st day of August, 1963, and payable in monthly installments of SIXTY AND NO/100 (\$60.00) DOLLARS, beginning 1 September, 1963, and payable on the 1st of each consecutive month thereafter, until the whole sum, with interest at SIX PER CENT is paid in full; and the Plaintiff avers that the Defendants defaulted in the payment due October 1st, 1963, and the Plaintiff under the terms of said note declared the entire unpaid balance due and payable;

And the Plaintiff avers that in said note and as a part of the consideration thereof, the Defendants have expressly waived their right to claim personal property as exempt to them under the Constitution and laws of the State of Alabama and agreed to pay an attorney's fee for the collection thereof, and the Plaintiff hereby claims the further sum of TWO HUNDRED THIRTY-NINE AND 54/100 (\$239.54) DOLLARS as such attorney's fee.

  
E. G. RICKARBY, Attorney for  
Plaintiff.

FILED  
NOV 5 1963  
ALICE I. DICK, Clerk



EMILYOTT JOHNSON CORPORATION,   
 a Corporation,

Plaintiff,

vs.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

OSCAR E. GARNER and FLORA  
MAE GARNER, Individually and  
doing business as THE FAMILY  
SHOE STORE,

as Def.

Defendants.

AFFIDAVIT FOR SERVICE ON NON-RESIDENT UNDER  
SECTION 199 (1) OF TITLE 7, CODE OF  
ALABAMA.

STATE OF ALABAMA,

COUNTY OF BALDWIN.

§ Before me, the undersigned notary public, in and  
for said County, in said State, personally appeared E. C.  
RICHARDS, who, being by me first duly sworn, deposes and says:

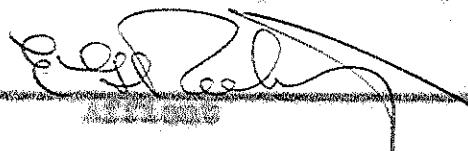
That he is the attorney for EMILYOTT JOHNSON COR-  
PORATION, a corporation, the Plaintiff in this cause;

That the residences of the Defendants, OSCAR E.  
GARNER and FLORA MAE GARNER, are Crestview, Florida, and that  
they are non-residents of the State of Alabama, and that the  
said OSCAR E. GARNER and FLORA MAE GARNER are doing business  
in this State, namely, they are operating a shoe store in the  
city of Fairhope, Baldwin County, Alabama;

That the last known post office address of said De-  
fendants, OSCAR E. GARNER and FLORA MAE GARNER, is "care of  
Family Shoe Store, 290 North Main Street, Crestview, Florida".

WHEREFORE, the Plaintiff prays that the Clerk of this  
Circuit Court will attach a copy of this affidavit to each copy  
of the Summons and Complaint and forward the original Summons  
and Complaint in this cause and six copies thereof to the Sheriff  
of Montgomery County for service on the Secretary of State, as  
agent of said Defendants as provided by Section 199 (1), of  
Title 7, of the Code of Alabama, as amended September 8, 1961.

FILED  
MAY 1 1962  
MAY 1 1962  
MAY 1 1962

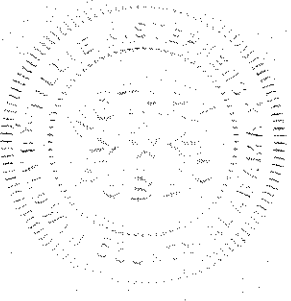
  
Affiant

WITNESSES TO AND SUBSCRIBED before me on this the

17<sup>th</sup>

day of November, 1963.

Lilli B. Stephens  
Notary Public, Baldwin County, Alabama.



FILED

NOV 8 1963

ALICE J. DUCK, CLERK  
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 5807

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon

CECIL R. GARNER and FLORA MAE GARNER, Ind. &

d/b/a THE FAMILY SHOE STORE

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 CECIL R. GARNER & FLORA

MAE GARNER, Ind. & d/b/a THE FAMILY SHOE STORE, Defendant.

by ENDICOTT JOHNSON CORPORATION, A Corporation

Plaintiff.

Witness my hand this 9th day of November, 19 63.

Alice J. Luck, Clerk

ENDICOTT JOHNSON CORPORATION,  
A Corporation,

Plaintiff,

VS.

CECIL R. GARNER and  
FLORA MAE GARNER, Ind. and d/b/a  
THE FAMILY SHOE STORE,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.


5817

COMPLAINT

Count I.

The Plaintiff claims of the Defendants the sum of ONE THOUSAND FIVE HUNDRED NINETY-SIX AND 90/100 (\$1,596.90) Dollars due by promissory note made by them on, to-wit, the 1st day of August, 1963, and payable in monthly installments of SIXTY AND NO/100 (\$60.00) DOLLARS, beginning 1 September, 1963, and payable on the 1st of each consecutive month thereafter, until the whole sum, with interest at SIX PER CENT is paid in full; and the Plaintiff avers that the Defendants defaulted in the payment due October 1st, 1963, and the Plaintiff under the terms of said note declared the entire unpaid balance due and payable;

And the Plaintiff avers that in said note and as a part of the consideration thereof, the Defendants have expressly waived their right to claim personal property as exempt to them under the Constitution and laws of the State of Alabama and agreed to pay an attorney's fee for the collection thereof, and the Plaintiff hereby claims the further sum of TWO HUNDRED THIRTY-NINE AND 54/100 (\$239.54) DOLLARS as such attorney's fee.

  
E. G. RICKARBY, Attorney for  
Plaintiff.

FILED

NOV 9 1963

ALICE J. DUCK, CLERK  
REGISTER

ENDICOTT JOHNSON CORPORATION, §  
A Corporation,

Plaintiff, §

VS.

CECIL R. GARNER and FLORA  
MAE GARNER, Individually and  
doing business as THE FAMILY §  
SHOE STORE,

Defendants. §

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

AFFIDAVIT FOR SERVICE ON NON-RESIDENT UNDER  
SECTION 199 (1) of TITLE 7, CODE OF  
ALABAMA.

STATE OF ALABAMA,

COUNTY OF BALDWIN.

Before me, the undersigned notary public, in and  
for said County, in said State, personally appeared E. G.  
RICKARBY, who, being by me first duly sworn, deposes and says:

That he is the attorney for ENDICOTT JOHNSON COR-  
PORATION, a corporation, the Plaintiff in this cause;

That the residences of the Defendants, CECIL R.  
GARNER and FLORA MAE GARNER, are Crestview, Florida, and that  
they are non-residents of the State of Alabama, and that the  
said CECIL R. GARNER and FLORA MAE GARNER are doing business  
in this State, namely, they are operating a shoe store in the  
City of Fairhope, Baldwin County, Alabama;

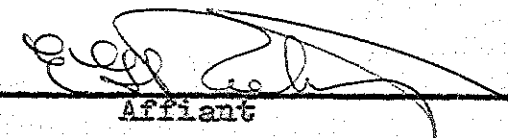
That the last known post office address of said De-  
fendants, CECIL R. GARNER and FLORA MAE GARNER, is "care of  
Family Shoe Store, 290 North Main Street, Crestview, Florida".

WHEREFORE, the Plaintiff prays that the Clerk of this  
Circuit Court will attach a copy of this affidavit to each copy  
of the Summons and Complaint and forward the original Summons  
and Complaint in this cause and six copies thereof to the Sheriff  
of Montgomery County for service on the Secretary of State, as  
agent of said Defendants as provided by Section 199 (1), of  
Title 7, of the Code of Alabama, as amended September 8, 1961.

FILED

NOV 9 1963

ALICE J. DUCK, CLERK  
REGISTER

  
Affiant

SWORN TO AND SUBSCRIBED before me on this the

17<sup>th</sup>

day of November, 1963.

Jellie K. Stephens  
Notary Public, Baldwin County, Alabama.

FILED

NOV 9 1963

MARIE J. DUCK, CLERK  
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 5897

TERM. 19

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon CECIL R. GARNER and FLORA MAE GARNER, Ind. &

d/b/a THE FAMILY SHOE STORE

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 CECIL R. GARNER & FLORA

MAE GARNER, Ind. & d/b/a THE FAMILY SHOE STORE Defendant.

by ENDICOTT JOHNSON CORPORATION, A Corporation

Plaintiff.

Witness my hand this 9th day of November 19 63

Alice J. Smith, Clerk

ENDICOTT JOHNSON CORPORATION,  
A Corporation,

Plaintiff,

VS.

CECIL R. GARNER and  
FLORA MAE GARNER, Ind. and d/b/a  
THE FAMILY SHOE STORE,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.


5807

C O M P L A I N T

Count I.

The Plaintiff claims of the Defendants the sum of ONE THOUSAND FIVE HUNDRED NINETY-SIX AND 90/100 (\$1,596.90) Dollars due by promissory note made by them on, to-wit, the 1st day of August, 1963, and payable in monthly installments of SIXTY AND NO/100 (\$60.00) DOLLARS, beginning 1 September, 1963, and payable on the 1st of each consecutive month thereafter, until the whole sum, with interest at SIX PER CENT is paid in full; and the Plaintiff avers that the Defendants defaulted in the payment due October 1st, 1963, and the Plaintiff under the terms of said note declared the entire unpaid balance due and payable;

And the Plaintiff avers that in said note and as a part of the consideration thereof, the Defendants have expressly waived their right to claim personal property as exempt to them under the Constitution and laws of the State of Alabama and agreed to pay an attorney's fee for the collection thereof, and the Plaintiff hereby claims the further sum of TWO HUNDRED THIRTY-NINE AND 54/100 (\$239.54) DOLLARS as such attorney's fee.

  
E. G. RICKABY, Attorney for  
Plaintiff.

FILED

NOV 9 1963

ALICE J. DUCK, CLERK  
REGISTER



ENDICOTT JOHNSON CORPORATION, §  
A Corporation,

Plaintiff, §

VS.

CECIL R. GARNER and FLORA  
MAE GARNER, Individually and  
doing business as THE FAMILY  
SHOE STORE, §

Defendants. §

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

AFFIDAVIT FOR SERVICE ON NON-RESIDENT UNDER  
SECTION 199 (1) of TITLE 7, CODE OF  
ALABAMA.

STATE OF ALABAMA,  
COUNTY OF BALDWIN.

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agent of said Defendants as provided by Section 199 (1), of  
Title 7, of the Code of Alabama, as amended September 8, 1961.

  
Affiant

FILED

NOV 9 1963

ALICE J. DICK, CLERK  
REGISTER

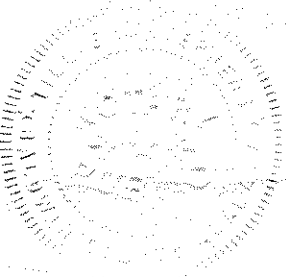
SWORN TO AND SUBSCRIBED before me on this the

17<sup>th</sup>.

day of November, 1963.

*Jillie H. Steadman*

Notary Public, Baldwin County, Alabama.



FILED

NOV 9 1963

ALICE I. WALKER, CLERK  
RECEIVED