



NOTE-O-GRAM

© THE DRAWING BOARD - BOX 505 - DALLAS, TEXAS

JAMES A. BRICE

ATTORNEY AT LAW

BOX ~~505~~ • ~~ATMORE~~, ALABAMA • ~~368-2329~~

202, Atmore, 368-2329

M E S S A G E

R E P L Y

TO Mrs. Alice J. Duck
Bay Minette, Alabama

DATE

DATE 12-14-64

Re: Dixie Tube and Steel Company

Vs: B. B. and Martha Howell

Dear Mrs. Duck:

I have been advised that the above defendants may be located in care of Mr. Howell's uncle, A. R. Howell, on Avenue X, which is in the Fairgrounds section of Birmingham.

Please give the papers to the Jefferson County Sheriff and ask him to attempt service at the above address.

Thank you.

Sincerely,

James A. Brice

JAB/pr

BY

SIGNED

INSTRUCTIONS TO SENDER:

INSTRUCTIONS TO RECEIVER:

1. KEEP YELLOW COPY. 2. SEND WHITE AND PINK COPIES WITH CARBON INTACT.

1. WRITE REPLY. 2. DETACH STUB, KEEP PINK COPY, RETURN WHITE COPY TO SENDER.

NOTE

\$2,331.38

Foley, Alabama

January 11, 1963

We promise to pay to the order of DIXIE TUBE & STEEL, INC. for value received, TWO THOUSAND THREE HUNDRED THIRTY-ONE AND 38/100 (\$2,331.38) DOLLARS, due and payable as follows: \$100.00 due and payable on or before March 1, 1963 and \$100.00 due and payable on or before each and every month thereafter, which payments include interest thereon at the rate of Eight per cent (8%) per annum, payable monthly, from date until paid.

This note is payable at Dixie Tube & Steel, Inc., Dothan, Alabama.

This note is secured by a second mortgage of even date herewith, being subject to a Real Estate and Chattel Mortgage to the Farmers & Merchants Bank, Foley, Alabama.

This note is in payment of Invoice of Steel, dated 11/3/62 in the amount of \$1,706.80 and an unpaid check dated 12/10/62 in the amount of \$624.58.

As to this debt, we hereby waive all right of exemption under the Constitution and Laws of the State of Alabama, and agree to pay all costs of collection, securing or attempting to collect or secure this note, including a reasonable attorney's fee.

Upon failure to pay any installment of principal and/or interest when due or if any of the conditions and requirements in said Real Estate and Chattel Mortgage be not complied with, the entire principal sum at the option of the holder, shall become due and payable. Failure to exercise this option shall not constitute a waiver of the right to exercise the same in the event of any subsequent default.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this the day and year first above written.

B. B. Howell (SEAL)
B. B. Howell

Martha Howell (SEAL)
Martha Howell

Doing business as FOLEY STEEL COMPANY

This is a revised promissory note. A previous note was signed in the same amount and substantially the same terms.

JAMES A. BRICE

ATTORNEY AT LAW
FOLEY, ALABAMA

P.O. Box 298

WHITCHALL 3-3601

2915
are +

December 18, 1963

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

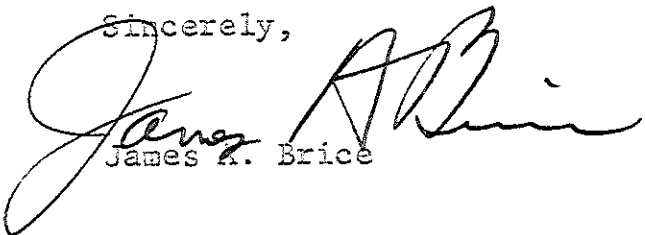
Re: Dixie Tube & Steel
Vs: B. B. Howell et al
Case No. 5813

Dear Mrs. Duck:

Please return the summons and complaint in the above styled cause to the sheriff's office with the advice that defendant is living in the Marlow community, next to Floyd Thompson.

Thank you.

Sincerely,


James A. Brice

JAB:j

JAMES A. BRICE

ATTORNEY AT LAW

BOX 298 • PERCY, ALABAMA • 368-2329

202, Atmore, 368-2329

M E S S A G E

R E P L Y

TO Mrs. Alice J. Duck
Bay Minette, Alabama

DATE

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Re: Dixie Tube and Steel Company

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Dear Mrs. Duck:

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Please give the papers to the Jefferson County Sheriff and ask him to attempt service at the above address.

Thank you.

Sincerely,

James A. Brice

JAB/pr

SIGNED

RECIPIENT KEEP THIS COPY, RETURN WHITE COPY TO SENDER

DIXIE TUBE & STEEL, INC.
a corporation

PLAINTIFF

VS

B. B. HOWELL AND MARTHA HOWELL,

DEFENDANTS

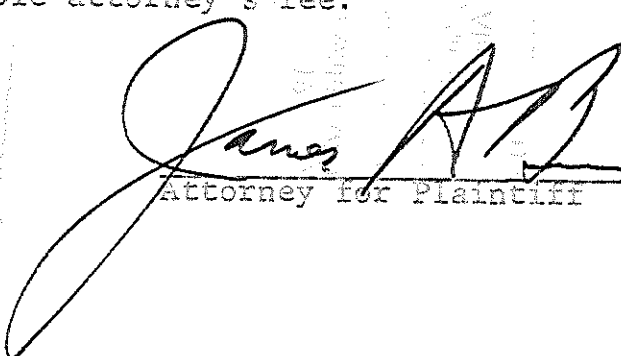
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

COMPLAINT

The Plaintiff claims of the Defendant the sum of Two Thousand Three Hundred Thirty-one and 38/100 Dollars (\$2,331.38), due by promissory note made by the Defendant on the 11th day of January 1963, and payable on the 1st day of March 1963, with interest from 11 January 1963, at the rate of eight per cent (8%) per annum.

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

Plaintiff further avers that in and by the terms of said note, the Defendants 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 Defendants the further and additional sum of Four Hundred Sixty-five Dollars (\$465.00), as such reasonable attorney's fee.


Attorney for Plaintiff

FILED

NOV 13 1963

ANCE I. DUCK, CLERK
REGISTER

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 B. B. Howell and Martha Howell

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 -----

B. B. Howell and Martha Howell

Defendant-----

by -----

Dixie Tube & Steel, Inc., a corporation

Plaintiff-----

Witness my hand this 13 day of Nov. 1963

Alice J. Luck, Clerk

No. 5813

Page _____

STATE of ALABAMA**Baldwin County****CIRCUIT COURT**Dixie Tube & Steel, Inc.,a corporation

Plaintiffs

vs.

B. B. Howell and MarthaHowell2915 Ave X, EnolaEND OF MARLOW RD. Defendants**Summons and Complaint**

Filed _____

19____

Clerk _____

DEC 16 4 48 PM '64

REC'D. SHERIFF'S
DEPT. JEFF. CO.CLERK
REGISTERJames A. Brice

Plaintiff's Attorney

Defendant's Attorney

Ret. To Carlisle!

7

Subject Running Truck
YARD AT END OF MARLOW
ROAD - SEND TO CARLISLE -
Defendant lives at
Polley, Alabama

Received In Office

Dec. 19, 1963

Sheriff.

I have executed this summons

this _____ 19____

by leaving a copy with

Returned 14 day of Feb 1964Not found in my county after diligent search and in-
quiry _____Taylor Wilkins, Sheriff

By _____

Deputy SheriffNot found in my county after diligent search and in-
quiry _____Taylor Wilkins, SheriffDeputy SheriffMelvin Bailey, Sheriff of
Jefferson County, Alabama,
claims \$1.50 each for serving2 process(es) and \$00
travel expense on each of2 process(es) of Deputy Sheriff.\$5.00
Deputy Sheriff.

EXECUTED this the 18
day of Dec 1964
by leaving a copy of the within with
B B Howell

MELVIN BAILEY, Sheriff
Jefferson County, Alabama
By C. E. White D.S.

332

EXECUTED this the 18
day of Dec 1964
by leaving a copy of the within with
Martha Howell

MELVIN BAILEY, Sheriff
Jefferson County, Alabama
By C. E. White D.S.