

\$

\$587.19

Foley, Ala. June 1, 1963

19

On Demand

after date, without grace I

promise to pay

to the order of FARMERS AND MERCHANTS BANK, FOLEY, ALA.

Five Hundred eighty seven and 19/100x0x0x

Dollars

for value received, with interest at 8 per cent. per annum from date until paid.

PAYABLE AT FARMERS AND MERCHANTS BANK, FOLEY, ALA.

The parties to this instrument, whether maker, endorser, surety or guarantor, each for himself, hereby severally agrees to pay this note and waives as to this debt, or any renewal thereof, all right to exemption under the constitution and laws of Alabama, or any other State, as to personal property and they each severally agree to pay all costs of collecting or securing, or attempting to collect or secure this note, including a reasonable attorney's fee, whether the same be collected or secured by suit or otherwise, and maker, endorser, surety or guarantor, of this note severally waives demand, presentment, protest, notice of protest, suit and all other requirements necessary to hold them, and they agree that time of payment may be extended without notice to them of such extension. The Bank at which this note is payable is hereby authorized to apply on or after maturity to the payment of this debt any funds in said bank belonging to the maker, surety, endorser, guarantor, or any one of them.

No.

Due

On Demand

Jack Hayes
Emma Hayes

Seal

Seal

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P.O. DRAWER 190

AREA CODE 205 - PHONE WH 3-2201

FOLEY, ALABAMA 36535

March 6, 1964

Hon H. M. Hall
Judge of Probate
Bay Minette, Alabama

Re: P. F. Schultz, d/b/a
Standard Oil Distributor
Vs: Jack Hayes & Emma Hayes
Case No. 5910

Dear Judge Hall:

Please issue a judgment in this case on a promissory
waive note for \$742.00. Note is attached hereto.

Cordially yours,



FOREST A. CHRISTIAN

SUMMONS

STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon JACK HAYES and EMMA HAYES, 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, Alabama, at the place of holding same by P. F. SCHULTZ, d/b/a Standard Oil Distributor.

Witness my hand this the 29th day of January, 1964.

Allice J. Hensel
Clerk

* * * * *

COMPLAINT

P. F. SCHULTZ, d/b/a
Standard Oil Distributor,

PLAINTIFF,

VS:

JACK HAYES and EMMA
HAYES,

DEFENDANTS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

MO. 5910

The Plaintiff claims of the Defendants FIVE HUNDRED EIGHTY-SEVEN & 19/100 DOLLARS (\$587.19), due by promissory note made by them on the 1st day of June, 1963, and payable on the 1st day of December, 1963, with interest thereon.

Said note provides for a reasonable attorney's fee, which Plaintiff alleges to be ONE HUNDRED TWENTY & 00/100 DOLLARS (\$120.00).

Paul Oliver
Attorney for Plaintiff

Defendant's Address:

Jack Hayes & Emma Hayes
Orange Beach, Alabama

64-2-3-64

FILED

JAN 28 1964

ALICE J. HENSEL, CLERK
REGISTER

SUMMONS

received 28 day of Jan. 1964
and on 30 day of Feb 1964
I served a copy of the within 6x C
on Jack Hayes & Emma
Hayes

By service on Jack Hayes, & Emma
Hayes
TAYLOR WILKINS, Sheriff
By Eastman & Childress, S.
Orange Beach, Ala.

Sheriff claims 240 miles
Ten Cents per mile Total 24.00
TAYLOR WILKINS, Sheriff
BY Eastman
DEPUTY SHERIFF

E. F. SCHULTZ, d/b/a Standard
Oil Distributor,

PLAINTIFF,

VS:

JACK HAYES and EMMA HAYES,

DEFENDANTS.

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

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FOREST A. CHRISTIAN
ATTORNEY AT LAW
P. O. DRAWER 190
FOLEY, ALABAMA

COPY

AREA CODE 205
WH 3-2201

March 4, 1964

Mr. Fred F. Smith, Jr.
Attorney at Law
W O W Building
Prichard, Alabama

Re: Moore-Hadley, Inc.
Vs: Harry E. Brown
Circuit Court of
Baldwin County
Case No. 5654

Dear Mr. Smith:

Back in August, 1963, I filed a summons and complaint on common counts for merchandise sold. You and your client demanded trial by jury and filed a denial under oath. In November I filed a seven page interrogatory which has never been answered. About a month ago I filed a motion to "move that the Court either attach the part and cause him to answer fully in open Court or enter a judgment by default all of which is provided in Title 7, Section 481, Code of Alabama."

I have a telephone call in this afternoon but you seemed to be out and I may or may not talk with you but I need to talk to you. I would like to have you call me but confirm it by letter what your intentions are if you wish to commit yourself.

Without your clients answer to the interrogatories, I hesitate going to trial and since I am an attorney, I am anxious to conclude this matter. The Plaintiff will need someone there to prove the case and this is expensive especially if we do not get to trial, etc. I am sure that you understand my problem and I believe that you will tell me what you intend to do next Wednesday when the case is set.

Your cooperation will be greatly appreciated.

Cordially yours,

FOREST A. CHRISTIAN