

GIBBONS & STOKES

ATTORNEYS AT LAW  
160 CONGRESS STREET  
MOBILE, ALABAMA  
TELEPHONE 433-2611

E. GRAHAM GIBBONS  
B. F. STOKES, III

MAILING ADDRESS  
P. O. BOX 293  
MOBILE, ALABAMA, 36601

February 2, 1968

Mrs. Alice Duck, Clerk  
Circuit Court  
Baldwin County  
Bay Minette, Alabama

Re: Case #6319 Jim Walter Corporation vs. Jasper Lee Brown

Dear Mrs. Duck:

Please issue a Writ of Discovery to the defendant, commanding him to file in Court a sworn list of his assets, if any.

Thank you very much for your attention to this matter.

Sincerely,

  
E. Graham Gibbons

EGG:he

FILED

FEB 6 1968

ALICE J. DUCK CLERK  
REGISTER

JIM WALTER CORPORATION

IN THE CIRCUIT COURT OF

Plaintiff

vs:

BALDWIN COUNTY, ALABAMA

JASPER LEE BROWN

Defendant

AT LAW, CASE NO. 6319

NOTICE TO DEFENDANT

TO:

Take notice that upon the written request of E. Graham Gibbons, Attorney for the Plaintiff, filed in this Court in this cause, you are commanded to file in this Court within thirty days from the service of this notice a statement in writing, under oath, of employment, wages and assets, including money, choses in action, notes, bonds and accounts and all other property, real, personal or mixed or any interest therein, including wages due or payable, with a detailed description of same, the location and reasonable value of each item thereof, together with a detailed list or statement of any and all liens, mortgages or incumbrances thereon showing the amounts due upon each, and the owner or holder of such liens, incumbrances or mortgages.

Be governed accordingly.

Dated this 6th day of February 1968.

Alice L. Warrick  
Clerk of Circuit Court of  
Baldwin County, Alabama.

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

COUNTY OF BALDWIN

BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA --GREETING:

YOU ARE HEREBY COMMANDED to serve a copy of the above notice upon \_\_\_\_\_

Jasper Lee Brown

Defendant, and make due return thereon, according

to law.

Witness my hand this the 6th day of February, 1968.

\_\_\_\_\_  
Clerk, Circuit Court of  
Baldwin County, Alabama

RECORDED

FEB 7 1968

TAYLOR WILKINS  
SHERIFF

Received 7 day of Feb 1968  
and on 8 day of Feb 1968

I served a copy of the within Writ of Discovery  
on Jasper Lee Brown

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

TAYLOR WILKINS, Sheriff

By W. A. Talbot D. S.

CS

No. 6319

Jim Walter Corp

VS.

Jasper Lee Brown

Writ. of Discovery

Gibbons & Stokes

JIM WALTER CORPORATION,  
A Corporation,

Plaintiff

VS:

JASPER LEE BROWN and  
MARJORIE BROWN, jointly and  
individually

Defendants

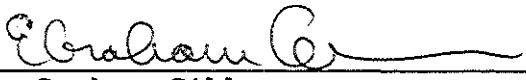
) IN THE CIRCUIT COURT OF  
)  
) BALDWIN COUNTY,  
) ALABAMA  
)  
) AT LAW

) CASE No. 6319

The plaintiff claims of the defendants \$545.40 due by promissory note made by them on the 20th day of November 1959 and payable in 48 monthly installments of \$38.00 each with the first installment to become due and payable on the 5th day of January 1960 and each succeeding installment to become due and payable on the 5th day of each successive month until the whole of said indebtedness is paid, with interest thereon.

Plaintiff avers that the defendants failed to pay said note according to its terms and that there is presently due and owing the aforementioned amount. Plaintiff further avers that according to the terms of said promissory note that the defendants agreed that in the event said note was placed in the hands of an attorney for collection that the defendants agreed to pay a reasonable attorney's fee and plaintiff claims further the amount of \$109.00 and avers the same to be a reasonable attorney's fee. The defendants according to the terms of said note waive all claims to any exemption of personal property or homestead under the Constitution of Laws of the State of Alabama.

GIBBONS & STOKES

  
E. Graham Gibbons  
Attorney for Plaintiff

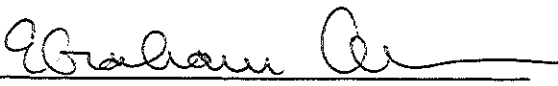
Please serve the defendants P. O. Box 213, Perdido, Alabama.

The plaintiff, being a foreign corporation, duly qualified to do business in the State of Alabama, the undersigned as attorney of record for said plaintiff, personally guarantees costs in this proceeding.

FILED

NOV 20 1959

ALICE J. DUCK, CLERK  
REGISTER

78  
  
E. Graham Gibbons  
Attorney at Law

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 6318

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Jasper Lee Brown and Marjorie Brown, Jointly & individually

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 Jasper Lee Brown and Marjorie Brown, Jointly & Individually, Defendant.....

by Jim Walter Corporation, a Corporation

....., Plaintiff.....

Witness my hand this.....25th.....day of November.....1964.....

EX-11-30-64

Alise L. Duck, Clerk

No. 6319.....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Jim Walter large

Plaintiffs

vs.

Jasper Lee Brown &  
Marjorie Brown

Defendants

SUMMONS AND COMPLAINT

Filed Nov 25 1964

Alice Duluck Clerk

Gibbons & Stokes  
P.O. Box 293 Plaintiff's Attorney  
Mobile

Defendant's Attorney

Defendant lives at

Received In Office

11/25 1964

Sheriff

I have executed this summons

this Nov 30 1964

by leaving a copy with

Jasper Brown  
Marjorie Brown

52

520

BY

Taylor Welburn Sheriff  
W A Talbot Deputy Sheriff

Perdido

\$ 1824.00

13486

MOBILE

November 20, 19 59

For value received, I, we, or either of us, promise to pay to the order of JIM WALTER CORPORATION, at the office of said payee, P. O. Box 9128, Tampa, Florida, or at such other place as the holder hereof may designate in writing, the sum of \_\_\_\_\_

Eighteen hundred twenty four and no/100-----Dollars (\$ 1824.00 )

in 48 monthly instalments of Thirty eight and no/100-----Dollars (\$ 38.00 )

each, the first instalment to become due and payable on the 5th day of January, 19 60, and one instalment to become due and payable on the 5th day of each succeeding month until the whole of said indebtedness is paid, with interest from maturity at the rate of six per cent per annum.

It is agreed that time is of the essence of this contract and that in the event of default in payment of any instalment for a period of thirty days, the holder of this note may, at its option, declare all of the remainder of said debt due and collectible and any failure to exercise said option shall not constitute a waiver of the right to exercise the same at any other time. In the event of default in payment of this note and if the same is placed in the hands of an attorney for collection, I, we, or either of us, agree to pay all costs of such collection, including a reasonable attorney's fee.

I, we, and each of us, whether principal, security, guarantor, endorser, or other party hereto agree to be jointly and severally bound. I, or we, each further waive demand, protest, and notice of demand, protest, and non-payment, and waive all claim to any exemption of personal property or homestead under the constitutions or laws of any state on this debt.

Given under the hand and seal of each party.

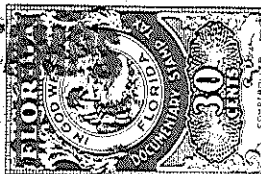
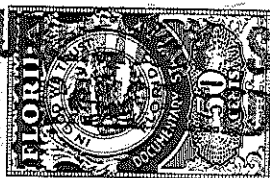
Witness

[Signature]  
Eulalia C. Kramer

Joseph Lee Brown (SEAL)  
Margaret B. Brown (SEAL)

(SEAL)

(SEAL)



# RECORD OF PAYMENTS

PAY NO.	DATE	AMOUNT	HOW PAID	RECEIVED BY
1	1/5	38.00	PD	
2	2			
3	3/5	38.00		
4				
5				
6				
7				
8				
9				
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29				
30				

#13486

# RECORD OF PAYMENTS

PAY NO.	DATE	AMOUNT	HOW PAID	RECEIVED BY
31				
32				
33				
34				
35				
36				
37				
38				
39				
40				
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44				
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59				
60				

Pay to the order of Mid-State Investment Corporation, presentment, notice of non-payment and protest waived.

36 Jim Walter Corporation

By

Presentment, notice of non payment and protest waived.

Mid-State Investment Corporation

By



GIBBONS & STOKES

ATTORNEYS AT LAW  
160 CONGRESS STREET  
MOBILE, ALABAMA  
TELEPHONE 433-2611

E. GRAHAM GIBBONS  
B. F. STOKES, III

July 25, 1967

MAILING ADDRESS  
P. O. BOX 293  
MOBILE, ALABAMA, 36601

Mrs. Alice Duck, Clerk  
Circuit Court  
Baldwin County  
Bay Minette, Alabama

Re: Jim Walter Corporation vs. Jasper Lee Brown, Case #6319

Dear Mrs. Duck:

Please find enclosed a copy of a motion for judgment nil  
dicit, which I would appreciate your filing in the case  
as above captioned and advising me when the next motion  
docket will be heard by Judge Mashburn.

Thank you very much for your attention to this matter.

Sincerely,



E. Graham Gibbons

EGG:he

Enclosure

GIBBONS & STOKES

ATTORNEYS AT LAW

308-309 VAN ANTWERP BUILDING

MOBILE, ALABAMA

TELEPHONE 433-2611

E. GRAHAM GIBBONS  
B. F. STOKES, III

November 24, 1964

MAILING ADDRESS  
P. O. BOX 293  
MOBILE, ALABAMA, 36601

Mrs. Alice J. Duck, Clerk  
Circuit Court  
Baldwin County, Alabama  
Bay Minette, Alabama

Re: Jim Walter Corporation vs. Jasper Lee Brown  
& Marjorie Brown

6319

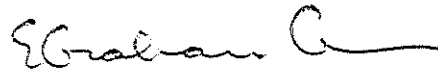
Dear Mrs. Duck:

I enclose herein an original and two copies of a complaint in the above case. I would appreciate it if you would file the same in the Circuit Court of Baldwin County and issue it for service and I would also appreciate it if you would confirm the filing date and also the date when service is perfected.

The defendants' address is P. O. Box 213, Perdido, Alabama.

Thank you very much for your attention to this matter.

Sincerely yours,



E. Graham Gibbons  
Attorney for Jim Walter Corp.

EGG:m  
Encl

JIM WALTER CORPORATION	)	
a corporation,	)	IN THE CIRCUIT COURT OF
	)	
Plaintiff,	)	BALDWIN COUNTY,
	)	
VS.	)	
	)	ALABAMA
JASPER LEE BROWN AND MARJORIE	)	
BROWN, jointly and individually)	)	
	)	AT LAW
Defendants	)	
	)	CASE NO. 6319

MOTION TO SET ASIDE DISMISSAL

Comes now the palintiff in the above captioned matter and with leave of court first had and obtained respectfully moves this Honorable Court to set aside its order dated November 18, 1965, dismissing said cause for want of prosecution and as grounds there-fore respectfully says as follows:

1. That your petitioner has never received notice that demurrers filed by the defendants to the plaintiff's complaint has ever been ruled on, either favorably or unfavorably.
2. That the plaintiff has appeared through council on several days designated by this Honorable Court as "Motion Day" and has not moved forward with the plaintiff's burden for the reason that council for both sides have for many months been negotiating settle-ment of this case.

GIBBONS & STOKES

**CERTIFICATE OF SERVICE**  
 I certify that on this 29 day of Nov, 1965, a copy of the foregoing pleading has been served upon counsel for all adverse parties to this proceeding by mailing the same to each by first class U. S. mail, properly addressed, and postage prepaid.

E. G. Gibbons  
 BY: E. GRAHAM GIBBONS

E. G. Gibbons  
 ATTORNEY FOR plaintiff.

NOV 29 1965  
 U.S. DISTRICT COURT  
 BALDWIN COUNTY, ALABAMA

JIM WALTER CORPORATION  
a corporation

Plaintiff

vs

JASPER LEE BROWN and  
MARJORIE BROWN, jointly and  
individually

Defendants

X  
X  
X  
X  
X  
X  
X

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 6319

Come the defendants in the above styled cause and  
demur to the complaint filed in said cause and for demurrer  
show unto this Honorable Court as follows:

1. That said complaint fails to state a cause of  
action.
2. That said complaint fails to allege a demise  
to the defendants herein.

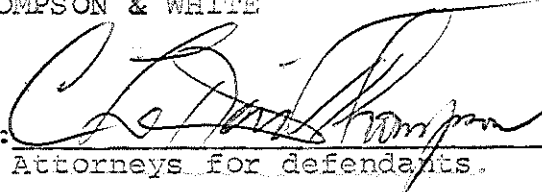
FILED

DEC 21 1964

ALICE A. DUCK, CLERK  
REGISTER

THOMPSON & WHITE

BY:


  
Attorneys for defendants.

JIM WALTER CORPORATION,	)	IN THE CIRCUIT COURT OF
A Corporation,	)	
	)	BALDWIN COUNTY, ALABAMA
Plaintiff,	)	
	)	
VS.	)	AT LAW
	)	
JASPER LEE BROWN and	)	
MARJORIE BROWN, Jointly	)	
and Individually,	)	
	)	
Defendants.	)	CASE NO. <u>6319</u>

JUDGMENT NIL DICIT

Comes now the Plaintiff in the above captioned matter and with leave of court first had and obtained, respectfully moves this Court for a Judgment Nil Dicit and as grounds therefore, sets out as follows:

1. For that more than sixty (60) days has elapsed since Honorable Court overruled demurrers filed by the Defendant and has failed to answer further or make other plea.

  
 E. Graham Gibbons  
 Attorney for the Plaintiff

Please serve the defendant at : Perdido, Alabama

*7-26-67 Set for hearing at 1:30 P. M. O'clock,  
on Thursday, August 3, 1967.*

*John J. Manselton  
Judge*

6319

Jim Walter Corp.

VS  
Jasper Lee Brown

Marjorie Brown

Subscribed and sworn to on 26 day of July 1967  
and on 31 day of July 1967  
I served a copy of this writ on Judge. Wil Diet  
on Jasper Lee Brown  
Marjorie Brown  
By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By W. A. Salt  
Pendola

Sheriff claims 52 miles at

Ten Cents per mile Total \$ 5.20

TAYLOR WILKINS, Sheriff

BY W. A. Salt  
DEPUTY SHERIFF