

GIBBONS & STOKES

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

E. GRAHAM GIBBONS
B. F. STOKES, III

September 11, 1967

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

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

Re: J. P. Ulrich vs Walter Powell, Circuit Court Case #7020

Dear Mrs. Duck:

I enclose a motion for judgment by default, together with a non-military affidavit. I would appreciate it if you would present this matter to Judge Mashburn for his consideration of a judgment in behalf of the plaintiff. Judgment is requested in the sum of \$712.00 plus costs of court and the judgment would include principal claim of \$662.50 plus interest at \$49.50.

Please advise me as to whether judgment is entered as well as the amount and date.

Sincerely yours,


B. F. Stokes, III

BFS:fo
Enclosures

P. S. I believe the predecessor attorney of record for the plaintiff filed this suit on verified statement of account attached to the complaint, which plaintiff herewith offers into evidence.

COPY

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 - PHONE 943-2201

FOLEY, ALABAMA 36535

July 21, 1967

Mrs. J. P. Ulrich
P. O. Box 19
Elberta, Alabama 36530

Re: J. P. Ulrich
Vs: Walter Powell
\$662.50
Case No. 7020

Dear Mrs. Ulrich:

Enclosed is the complete file in the above case which you requested.

I am sending a copy of this letter to the Clerk of Court informing that I am withdrawing as attorney in this case.

Cordially yours,

FOREST A. CHRISTIAN

cc: Mrs. Alice J. Duck
Clerk of Court
Bay Minette, Alabama 36567

SUMMONS

STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summons WALTER POWELL, 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 J. P. ULRICH.

Witness my hand this the 14th day of June, 1966.

Alice J. Duck
Clerk

* * * * *

COMPLAINT

J. P. ULRICH,	X	
PLAINTIFF,	X	IN THE CIRCUIT COURT OF
VS:	X	BALDWIN COUNTY, ALABAMA
WALTER POWELL,	X	AT LAW
DEFENDANT.	X	7020

COUNT I:

The Plaintiff claims of the Defendant SIX HUNDRED SIXTY-TWO & 50/100 DOLLARS (\$662.50), due from him by account on, to wit: the 3rd day of May, 1965, which sum of money, with interest thereon is still unpaid.

COUNT II:

The Plaintiff claims of the Defendant SIX HUNDRED SIXTY-TWO & 50/100 DOLLARS (\$662.50), due from him on account stated between the Plaintiff and the Defendant on, to wit: 3rd day of May, 1965, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The Plaintiff claims of the Defendant SIX HUNDRED SIXTY-TWO & 50/100 DOLLARS (\$662.50), due from him for merchandise, goods, and chattels sold by the Plaintiff to the Defendant on, to wit: the 3rd day of May, 1966, which sum of money, with interest thereon is still unpaid.

There is attached to the original hereof, an itemized statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the 13th day of June, 1966.

Forest A. Christian, Foley, Alabama
Attorney for the Plaintiff

Defendant's address:
Route (East Dixie Road)
Elberta, Alabama

FILED

EX-6-17-66

JUN 14 1966
ALICE J. DUCK, Clerk

3 May 1934
MAY 10 1934

5



*Clayton
Pat Gardner
66862*

Mr. Walter Powell

3020 Euclid

St. Louis, Missouri

Clearing and raking farm land approximately
30 to 35 acres @ \$ 25.00 per acre:

Total hours of clearing and raking of above
estimated land was 35 hours @ 12.50 per hr

812 50

less advance check of 150 00

Balance due 662 50

Mr. Powell: Hope the above bill meets with your approval.
There is a farmer at Josephine, Alabama who is interested
in renting the cleared land for farming. For the first
year, it would be wise to consider his proposal, because
you could be assured of your clearing costs returning to you,
since you are not here to do your own work. JFU

*sf 6-4
sf 7-22
Pess
Elected, promised
pay 10/1*

341

STATE OF ALABAMA,)

BALDWIN COUNTY,)

I, IRMA ULRICH, first being duly sworn, doth depose and says as follows: My name is IRMA ULRICH and I am the co-owner and book-keeper and wife of J. P. ULRICH and I personally know that WALTER POWELL formerly located at 5020 Farlin, St. Louis, Missouri, but now lives on East Dixie Road, Elberta, Alabama, owes a balance of \$662.50 for the work done as shown on the reverse side which is itemized, after allowing all just credits.

Irma Ulrich
Irma Ulrich

Sworn to and subscribed before me on
this the 13th day of June, 1966.

Ruth Hollingsworth
Notary Public, Baldwin County, Alabama

Affix Seal:

Commission Expires:

Ruth Hollingsworth
Notary Public

Baldwin County, Ala.

My Commission Expires March 2, 1970

7020

SUMMONS AND COMPLAINT

Received 14 day of June 1966
and on 17 day of June 1966
I served a copy of the within on Walter Powell
by Walter Powell
By service on Walter Powell

TAYLOR WILKINS, Sheriff
By J. M. Eastman D. S.
Elberta, Ala

Sheriff's Office 84
For Copy per 840
TAYLOR WILKINS
by 96

J. P. ULRICH,

PLAINTIFF,

VS:

WALTER POWELL
Route (East Dixie Road)
Elberta, Alabama,

DEFENDANT.

FILED
JUN 14 1966
ALICE A. DICK, CLERK
HIGHTEN

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

J. P. ULRICH)	IN THE CIRCUIT COURT
Plaintiff)	OF BALDWIN COUNTY,
VS)	ALABAMA
WALTER POWELL)	AT LAW
Defendant)	Case No. 7020

MOTION FOR JUDGMENT BY DEFAULT

Comes now the plaintiff in the above styled cause and shows unto the Court that the complaint and summons in this cause was served upon the defendant on to-wit, June 17, 1966 and that more than thirty days have elapsed and the defendant is in default in that he has failed to plead, answer, or demur to the complaint.

WHEREFORE, plaintiff moves the Court to enter judgment by default in the sum of \$712.00, including \$49.50 interest, being six per cent, since the date of the last charge, as provided by law, plus costs of court.

B. F. Mohr
Attorney for Plaintiff

FILED

SEP 12 1967

RECORDED & INDEXED
CLERK
REGISTER

J. P. ULRICH

IN THE CIRCUIT COURT OF

BALDWIN
~~MOBILE~~ COUNTY,

PLAINTIFF,

ALABAMA

-versus-

AT LAW

WALTER POWELL

DEFENDANT.

CASE NO. 7020

NON-MILITARY AFFIDAVIT

STATE OF ALABAMA)
BALDWIN
COUNTY OF ~~MOBILE~~

Now comes, B. F. Stokes, III,
who being first duly sworn, deposes and says that the defendant
herein, Walter Powell,
was not at the time of filing of this suit, and is not now
in the Military or Naval Service of the United States.

The Defendant resides at East Dixie Road
Elberta, Alabama.

B. F. Stokes, III

Sworn to and Subscribed before me,
this 11 day of September, 1967.

Michael K. B...
~~Circuit Clerk, Mobile County, Alabama~~
Notary Public, State of Alabama at Large

FILED _____

Clerk.

FILED

SEP 13 1967

ALB J. B. B. CLERK
REGISTER