

JOHN V. DUCK
DUCK & LACEY
Attorneys at Law
P. O. DRAWER A-J - FAIRHOPE, ALABAMA

M E S S A G E

R E P L Y

TO Mrs. Alice J. Duck

Bay Minette, Ala.

DATE

DATE October 7, 1966

Re: Amon M. Gates & Martha E. Gates, -vs-

Lowell Ray Day and Carol V. Day.

Dear Mrs. Duck:

7W.7203

Enclosed please find Bill of Complaint to
be filed together with copies of same and
summons to be served.

Sincerely,

John V. Duck
(28)

SIGNED

SIGNED

AMON M. GATES and MARTHA E.	)	IN THE CIRCUIT COURT OF
GATES, jointly and individually,	)	BALDWIN COUNTY, ALABAMA
Plaintiffs,	)	AT LAW
vs.	)	
LOWELL RAY DAY and CAROL Y. DAY,	)	70. 12 03
jointly and individually,	)	
Defendants.	)	

COUNT ONE

Plaintiffs claim of the Defendants the sum of SEVEN HUNDRED FIFTY (\$750.00) DOLLARS, damages for the breach of a written contract entered into by them on the 22nd day of April, 1966, in substance as follows:

That the Plaintiffs sold to the Defendants under the said written contract, certain real estate located in Baldwin County, Alabama, and more particularly described as follows, to-wit:

Lot 6, Block 29, Division 2, of the lands of Fairhope Single Tax Corporation in the City of Fairhope, Alabama.

That the total purchase price of the hereinabove described property was NINE THOUSAND (\$9,000.00) DOLLARS, and the Defendants paid the sum of THREE HUNDRED FIFTY (\$350.00) DOLLARS at the date of execution of the written contract, and the balance of EIGHT THOUSAND SIX HUNDRED FIFTY (\$8,650.00) was to be paid at the rate of SIXTY-FIVE (\$65.00) DOLLARS per month for the first fifteen (15) months, which said payments included interest at the rate of SIX PER CENT (6%) per annum on the unpaid balance.

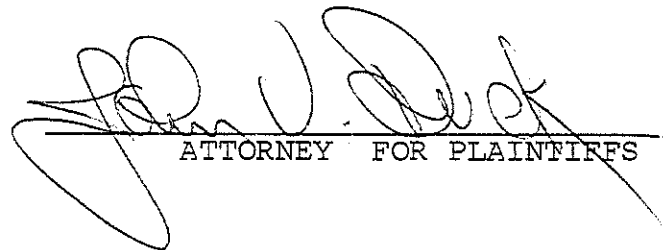
That in and by the terms of said contract, the Defendants agreed if they defaulted, that they would pay reasonable attorneys fee in the event of a default.

And the Plaintiffs say that, although they have complied with all its provisions on their part, the Defendants have failed to comply with the following provisions thereof, viz:

That the Defendants have failed to make the said monthly payments of SIXTY-FIVE (\$65.00) DOLLARS per month for the months of July 22, August 22 and September 22, 1966.

Plaintiffs further allege that since taking possession of the hereinabove described property, the Defendants have damaged the property in that they have allowed holes to be punched in new screens, they have marked and defaced the paint on the inside of the premises, all of which the Plaintiff now claim as damages as aforesaid.

Plaintiffs further avers that in and by the terms of said contract, the Defendants agreed to pay all costs of collection, including a reasonable attorneys fee, and the Plaintiffs now claim of the Defendants a reasonable attorneys fee.


ATTORNEY FOR PLAINTIFFS

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No.

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon LOWELL RAY DAY and CAROL Y. DAY,

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.....

LOWELL RAY DAY and CAROL Y. DAY....., Defendant.S...

by AMON M. GATES and MARTHA E. GATES

....., Plaintiff.S

Witness my hand this 10 day of Oct 1966

Wing Search, Clerk

*circled
Oct 11, 1966
J. Williams
J. Williams
Raymond P.S.*

No. 7203

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

AMON M. GATES and MARTHA E.

GATES, jointly and individually
Plaintiffs

vs.

LOWELL RAY DAY and CAROL Y. DAY,
jointly & individually Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

257 Morphy Avenue

Prichard, Alabama

Received In Office

OCT 10 1966

19.....

TAYLOR WILKINS

SHERIFF

Sheriff

I have executed this summons

this Oct 11 1966

by leaving a copy with

Lowell Ray Day Jr

Carol Y. Day Jr

Sheriff claims 14.8 miles at

Ten Cents per mile Total \$ 1.48

TAYLOR WILKINS, Sheriff

by Roy Randall
Deputy Sheriff

Taylor Wilkins Sheriff
Roy Randall Deputy Sheriff

THE STATE OF ALABAMA
Baldwin County

Circuit Court

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State
aforesaid JOHN V. DUCK

who being duly sworn, on oath says, that a regular December Term
of the Circuit Court of Baldwin County, to-wit: on the 2nd day of December
1966, AMON M. GATES and MARTHA GATES

recovered a judgment against LOWELL RAY DAY and CAROL Y. DAY

..... for the sum of
SIX HUNDRED TWENTY-FIVE AND NO/100 Dollars

besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

GENERAL TELEVISION COMPANY

3056 Old Shell Road, Mobile, Ala.

supposed to be indebted to or have effects of the said LOWELL RAY DAY

in its possession, or under its Control, and that he believes process of

Garnishment against said LOWELL RAY DAY

is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 2
day of A. D. 1967

Alice J. Duck
Clerk.

John V. Duck

NO.

Circuit Court

.....

vs.

.....

AFFIDAVIT GARNISHMENT ON JUDGMENT

Filed this day of

....., 19.....

.....
Clerk.

MOORE PRINTING CO. - BAY MINETTE, ALA.