

BROOKLEY FEDERAL CREDIT UNION,  
a Corporation,

Plaintiff,

VS:

JAMES D. HAVARD, THOMAS E.  
NICHOLAS, JAMES W. STEWART,  
EDWARD A. RHODES, and JOHN P.  
RYAN, Separately and Severally,

Defendants.

IN THE CIRCUIT COURT OF

MOBILE COUNTY, ALABAMA

AT LAW

CASE NUMBER

16777

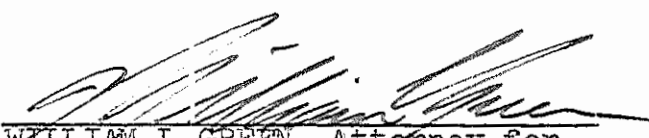
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COUNT ONE

The Plaintiff claims of the Defendants, separately and severally, the sum of ONE THOUSAND FOUR HUNDRED THIRTY-SIX AND 36/100 (\$1,436.36) DOLLARS, due from them by promissory note made by them on, to-wit: the 26th day of January, 1960, and payable on, to-wit: the 6th day of November, 1962, with interest thereon.

Plaintiff avers that by the terms of said note Defendants waived all right of exemption under the Constitution and Laws of the State of Alabama and agreed to pay a reasonable Attorney's fee which Plaintiff avers to be the sum of TWO HUNDRED EIGHTY-SEVEN AND 27/100 (\$287.27) DOLLARS. Plaintiff claims the benefit of such waiver and such fee.

WHEREFORE, Plaintiff claims judgment against the Defendants for the total sum of ONE THOUSAND SEVEN HUNDRED TWENTY-THREE AND 63/100 (\$1,723.63) DOLLARS, with the interest thereon.

  
WILLIAM L. GREEN, Attorney for  
the Plaintiff

Address of Defendants:

James D. Havard  
(Ask directions at  
Bozeman's Grocery Store,  
Fairview, Alabama)

Thomas E. Nicholas  
c/o Brookley AFB  
Mobile, Alabama

James W. Stewart  
c/o Brookley AFB  
Mobile, Alabama

Edward A. Rhodes  
73 11th Avenue  
Prichard, Alabama

John P. Ryan  
c/o Brookley AFB  
Mobile, Alabama

STATE OF ALA. MOBILE CO.  
I CERTIFY THIS PLEADING  
WAS FILED ON

AUG 11 8 40 AM '65

651

  
CLERK

**THE STATE OF ALABAMA**  
MOBILE COUNTY

**CIRCUIT COURT**

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

JAMES D. HAVARD, THOMAS E. NICHOLAS, JAMES W. STEWART,

EDWARD A. RHODES, and JOHN P. RYAN, Separately and Severally

to appear within thirty days from service of this process, in the Circuit Court of Mobile County, Alabama,  
at the place of holding the same, then and there to answer the complaint of

BROOKLEY FEDERAL CREDIT UNION, A Corporation

WITNESS: John E. Mandeville, Clerk of said Court, this 11th day of August, 1965

Attest:

John E. Mandeville  
Clerk

**SHERIFF'S RETURN**

Received on the 11th day of August, 1965 and on the 11th day of August, 1965 I served a copy of the within complaint and summons on said defendant, James D. Havard. On the 24th day of August, 1965 by service on Edward A. Rhodes. On the 30th day of August, 1965 by service on John Ryan. On the 10th day of November, 1965 by service on James W. Stewart and being unable to locate Thomas E. Nicholas in my County after diligent search and inquiry his copy is herewith returned to Court endorsed "Not Found."

RAY D. BRIDGES, SHERIFF  
BY: A. Stephens  
W. P. Smith D.S.  
W. P. Fitch S.  
W. P. Fitch S.

BY

REC'D. SHERIFF DEPT.  
MOBILE COUNTY, ALA.  
AUG 11 4 36 PM '65  
BY \_\_\_\_\_

No. 16777 *B*  
JUL 9 1965 *5 9/7* DOCKET  
CIVIL DIVISION  
**CIRCUIT COURT**  
MOBILE COUNTY

BROOKLEY FEDERAL CREDIT  
UNION, A Corporation.

VS. } Complaint and Summons

*8-11-65* JAMES D. HAVARD, THOMAS E. *NF*  
*8-11-65* NICHOLAS, JAMES W. STEWART *30X*  
EDWARD A. RHODES, and JOHN *7/10*  
P. RYAN, Separately and  
Severally

Issued 11th day of August, 1965

Defendant's Address

Havard - Ask directions at  
Bozeman's Grocery Store, Fairview, Ala.  
Rhodes - 73 11th Avenue, Prichard  
Nicholas, Stewart, Ryan - c/o  
Brookley AFB, Mobile, Alabama

*Called 9/7*

WILLIAM L. GREEN

Plaintiff's Attorney

IN THE CIRCUIT COURT OF

MOBILE COUNTY, ALABAMA

VS \*

AT LAW

CASE NO. 16777-*B*

Defendants. )

Comes now the Defendant, John P. Ryan, named as one of the Defendants in the above-styled cause, for the special purpose of filing the following plea separately to each and every count of the complaint in said cause, and for no other purpose:

The said John P. Ryan, alleges that at the time said suit was instituted and at the time said cause of action arose he was a bona fide resident of Baldwin County, State of Alabama, and that the Circuit Court of Mobile County, Alabama, is without jurisdiction to try this suit.

John P. Ryan  
Defendant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Kenneth Cooper, Notary Public, State At Large, State of Alabama, personally appeared John P. Ryan, one of the defendants in the above-styled cause, who, being by me first duly sworn, says on oath that the facts set forth in the foregoing plea are true and correct.

John P. Ryan  
Defendant

Sworn to and subscribed before me this 31<sup>st</sup> day of

August, 1965.

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Kenneth Gora  
Notary Public, State At Large, State of Ala.

I certify that I have mailed a copy of the foregoing plea to Hon William L. Green, Attorney At Law, Room 904, First National Bank Building, Mobile, Alabama, by depositing the same in the U. S. Mail, postage prepaid, at Bay Minette, Alabama, this 1st day of September, 1965.

*Kenneth Cooper*

Attorney For Defendant  
John P. Ryan

STATE OF ALA. MOBILE CO.  
I CERTIFY THIS PLEADING  
WAS FILED ON

SEP 1 2 19 PM '65

*J. H. Marshall*  
CLERK

FRIDAY, APRIL 22, 1966

BROOKLEY FEDERAL CREDIT UNION,	)	
a Corporation	)	PLEA IN ABATEMENT AS TO
	)	JOHN P. RYAN SUSTAINED
BOLLING -vs -	)	
16777	)	
	)	
JOHN P. RYAN,	)	

This day in open Court came the parties by their attorneys, and defendant, John P. Ryan's Plea in Abatement filed September 1, 1965, in this cause, coming on to be heard and being argued by counsel and understood by the Court;

It is ordered and adjudged by the Court that Defendant, John P. Ryan's said Plea in Abatement filed September 1, 1956, in this cause be, and the same is hereby sustained.

Minute Book 33

Page 525

STATE OF ALABAMA, }  
COUNTY OF MOBILE }

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

I, JOHN E. MANDEVILLE, Clerk of the Circuit Court of Mobile County, Alabama, do hereby  
certify that the foregoing is a full, true and correct copy of ORDER OF COURT

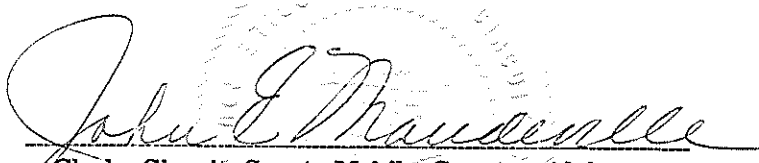
as rendered by the said Circuit Court on the 22nd day of April, 1966, in the cause  
entitled No. 16777 - BROOKLEY FEDERAL CREDIT UNION, a Corporation

\_\_\_\_\_, Plaintiff,  
— versus — JOHN P. RYAN

Defendant, (~~together with the cancellation thereof~~), as the same remains of record in this office in  
Minute Book No. 33, Page No. 525

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at office  
in the City of Mobile, Alabama, on this the 15th day of February, 19 67.

ATTEST:

  
Clerk, Circuit Court, Mobile County, Alabama.

TUESDAY, FEBRUARY 14, 1967

BROOKLEY FEDERAL CREDIT UNION,	)	PLEA IN ABATEMENT OF JOHN P.
a Corporation	)	RYAN HAVING BEEN SUSTAINED,
	)	BY ORDER OF COURT, CASE AS TO
BOLLING    -vs-    16777	)	JOHN P. RYAN TRANSFERRED TO
	)	BALDWIN COUNTY FOR FURTHER
JAMES D. HAVARD, et als	)	PROCEEDINGS

In open Court on this day; It is ordered and adjudged by the Court that Plea in Abatement of John P. Ryan having heretofore on April 22, 1966, been sustained, it is hereby ordered by the court that this case be, and the same is transferred to Baldwin County, Alabama, for further proceedings as to said John P. Ryan.

Minute Book 34

Page 832



STATE OF ALABAMA, }  
COUNTY OF MOBILE }

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

I, JOHN E. MANDEVILLE, Clerk of the Circuit Court of Mobile County, Alabama, do hereby  
certify that the foregoing is a full, true and correct copy of ORDER OF COURT

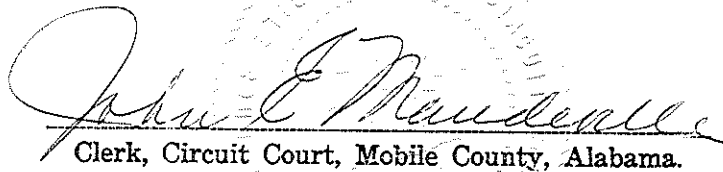
as rendered by the said Circuit Court on the 14th day of February, 19 67, in the cause  
entitled No. 16777 - BROOKLEY FEDERAL CREDIT UNION, a Corporation

\_\_\_\_\_, Plaintiff,  
— versus — JOHN P. RYAN

Defendant, (~~Together with the cancellation thereof~~), as the same remains of record in this office in  
Minute Book No. 34, Page No. 832

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at office  
in the City of Mobile, Alabama, on this the 15th day of February, 19 67.

ATTEST:

  
Clerk, Circuit Court, Mobile County, Alabama.