

J. E. LUENBERG,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
vs.	)	AT LAW
THOMAS H. RAYBORN and	)	85-15
CECIL D. RAYBORN, jointly)	
and individually,)	
Defendants.)	

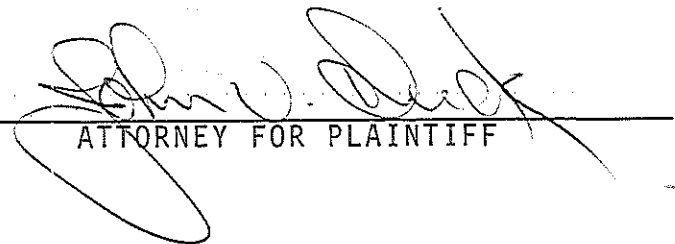
COUNT ONE

Plaintiff claims of the Defendants, the sum of THREE HUNDRED NINETY-EIGHT AND 25/100 (\$395.28) DOLLARS due by promissory note made by them on the 24th day of October, 1968 and payable in weekly installments of TEN (\$10.00) DOLLARS per week.

That in and by the terms of said note, the Defendants agreed that in the event of a default of any one payment, the entire balance should become due and payable, and the Plaintiff now claims the entire balance due and payable.

That in and by the terms of said note, the Defendants agree to pay all costs of collection, including a reasonable attorneys fee, and the Plaintiff now claims the further and additional sum of SIXTY (\$60.00) DOLLARS as a reasonable attorneys fee.

That in and by the terms of said note, the Defendants waived all rights of exemption under the Constitution and laws of Alabama, and Plaintiff now claims the benefit of said waiver.


ATTORNEY FOR PLAINTIFF

FILED

JAN 16 1969

ALICE J. DUCK CLERK
REGISTER

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 SummonTHOMAS H. RAYBORN and CECIL D. RAYBORN

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.....

.....THOMAS H. RAYBORN and CECIL D. RAYBORN..... Defendant.....

byJ. E. LUENBERG.....

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

Witness my hand this.....16.....day of.....1969.....

[Signature]
Clerk

24-1-18-69

ORIGINAL

No. 8515

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

J. E. LUENBERG

Plaintiffs

vs.

THOMAS H. RAYBORN and CECIL D.
RAYBORN.

Defendants

SUMMONS AND COMPLAINT

FILED

Filed 19.....

JAN 16 1969

Clerk

ALICE J. DUCK

CLERK
REGISTER

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Thomas H. Rayborn can be served at
Rayborn Enterprises, Fairhope, Ala
Cecil D. Rayborn can be served at
Police Dept., Fairhope, Ala.

Received In Office

RECEIVED

19.....

JAN 16 1969

Sheriff

I have ~~executed~~ this summons

this 1-18-1969

by leaving a copy with

Thomas H. Rayborn
Cecil D. Rayborn
Fairhope

70 Miles

Sheriff claims 140 miles at

Ten Cents per mile Total \$14.00

TAYLOR WILKINS, Sheriff

BY Roy Randall
DEPUTY SHERIFF

Jay Wilkins, Sheriff
Roy Randall, Deputy Sheriff

J. E. LUENBERG,	)	IN THE CIRCUIT COURT OF
plaintiff,	)	BALDWIN COUNTY, ALABAMA
VS.	)	AT LAW
THOMAS H. RAYBORN and)	
CECIL D. RAYBORN, jointly)	
and individually,)	
defendants.)	

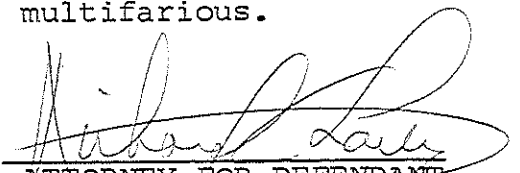
Comes now the Defendant in the above styled cause and files this his demurrer to said bill of complaint, separately and severally to count one thereof.

I

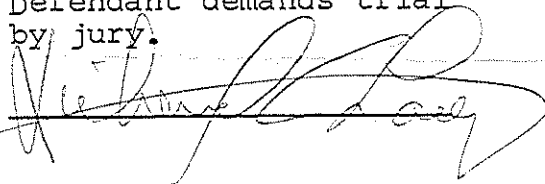
That said Bill of Complaint fails to state a cause of action.

II

That said Bill of Complaint is multifarious.

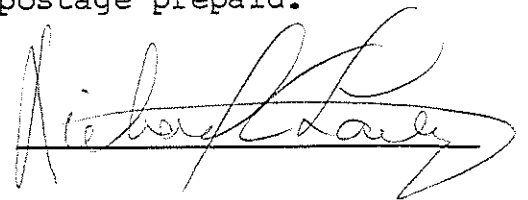

 ATTORNEY FOR DEFENDANT

Defendant demands trial by jury.



CERTIFICATE OF NOTICE

I do hereby certify that I have on this 5th day of February, 1969, served a copy of the foregoing pleading on John V. Duck, council for plaintiff, at Magnolia Avenue, Fairhope, Alabama by mailing the same by United States mail, property addressed, and first class postage prepaid.



FILED

FEB 7 1969

ALICE J. BECK CLERK
 REGISTER

P. O. DRAWER A-J

RICHARD C. LACEY

TELEPHONE 928-2373

ATTORNEY AT LAW

FAIRHOPE, ALABAMA 36532

February 5, 1969

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

RE: J. E. Luenberg,
vs. Thomas H. Rayborn and
Cecil D. Rayborn, jointly
and individually

Dear Mrs. Duck:

Enclosed please find answer to Bill of Complaint
in subject case.

sincerely,


RICHARD C. LACEY

RCL/dt
encls.

JOHN V. DUCK
Attorney at Law
P. O. DRAWER Y - FAIRHOPE, ALABAMA

M E S S A G E

R E P L Y

TO

Mrs. Alice J. Duck

Bay Minette, Ala.

DATE

January 14, 1968

Re: J. E. Luenberg vs. Thomas H. Rayborn
and Cecil D. Rayborn

Dear Mrs. Duck:

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

Sincerely,

John V. Duck
(RF)

SIGNED

DATE

85/5

SIGNED

JOHN V. DUCK
Attorney at Law
P. O. DRAWER Y - FAIRHOPE, ALABAMA

M E S S A G E

R E P L Y

TO Mrs. Alice J. Duck

Bay Minette, Ala.

DATE

DATE January 23, 1970

Re: Luenberg vs. Thomas H. Rayborn and

Cecil D. Rayborn. Civil No. 8515

Dear Mrs. -Duck:

Enclosed please find note sued on in
captioned case. Please ask the Judge to
issue a Judgment in the amount of \$395.28
plus attorneys fee of \$60.00.

Sincerely,

John V. Duck
(RH)

SIGNED

SIGNED

NOTICE OF JUDGMENT NI SI

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WHEREAS, at the January term, 1970, of the Circuit Court of Baldwin County the following Order was made and Judgment entered, to-wit:

J. E. LUENBERG,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
vs.	)	AT LAW, CASE NO. 8515½
THOMAS H. RAYBORN and)	
CECIL D. RAYBORN, jointly)	
and individually,)	
Defendants,)	
ALABAMA STATE DOCKS, a)	
corporation,)	
Garnishee.)	

Came the Plaintiffs, by their attorney, and the Garnishee having failed to file its answer as required by law, and it appearing unto the Court that a Writ of Garnishment has been duly issued in this cause by the Clerk of this Court, and served upon said Garnishee, and that at the January term, 1970, in said Court, to-wit: on the 26th day of January, 1970, the Plaintiff recovered a Judgment against the Defendants for the sum of FOUR HUNDRED FIFTY-FIVE (\$455.00) DOLLARS and THIRTY-TWO (\$32.00) DOLLARS cost of suit; it is therefore considered by the Court that the Plaintiff recover of the Garnishee the sum of FOUR HUNDRED FIFTY-FIVE (\$455.00) DOLLARS, and the sum of THIRTY-TWO (\$32.00) DOLLARS cost of original suit, and also the cost of this Garnishment; unless at the present term of this Court, and within thirty (30) days after notice of rendition of this Judgment, the said Garnishee appear and show cause why this Judgment should not be made final and absolute, and that a copy of this Order be served upon said Garnishee as required by law.

These are therefore to command you, that you make known the premises aforesaid to the said ALABAMA STATE DOCKS, a corporation, that it be and appear at the present term of said Court at the place of holding the same, and within thirty (30) days after service of the rendition of said Judgment to show cause why said Judgment should not be made final and absolute against it and have you then and there this Writ with your endorsement thereon.

IN WITNESS WHEREOF, the Clerk of the Circuit Court of Baldwin County, Alabama, on this the 26 day of June, 1970.

Bevington Dock
CLERK

Executed by serving a copy of the within on _____
as _____ of ALABAMA STATE DOCKS, a corporation,
this the _____ day of _____, 1970.

SHERIFF

DEPUTY SHERIFF