

P. O. DRAWER A-J

RICHARD C. LACEY

TELEPHONE 928-2373

ATTORNEY AT LAW

FAIRHOPE, ALABAMA 36532

March 7, 1969

Mrs. Alice J. Duck
Circuit clerk
Circuit court
Bay Minette, Alabama

RE: A. C. Michael vs. Melvin Johnson

Dear Mrs. Duck:

please find enclosed summons and complaint in
subject and give to the sheriff for service along
with the attachment.

sincerely,

Richard C. Lacey
RICHARD C. LACEY

dt

RCL/dt
encls.

8600

The State of Alabama, {
Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, _____

Melvin Johnson

& H.G. Jordan

are held and firmly bound unto _____ A. C. Michael

in the sum of Five hundred _____ DOLLARS,

for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators, jointly and severally. And for the payment of the above bond, we waive our right of exemption as to personal property, under the Constitution and Laws of the State of Alabama.

Sealed with our seals and dated this 31st day of March 1969

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas a Writ of Attachment issued by _____ A. C. Michael

at the suit of said _____ A.C. Michael _____ against

the estate of the above named _____ Melvin Johnson _____

returnable before the said _____ T. J. Mashburn, Judge _____ of Circuit Court

as aforesaid, at his office on the _____ day of _____, 1969, for the

sum of \$251.42 _____ DOLLARS,

has been placed in the hands of _____ Taylor Wilkins' _____, Sheriff

in and for the said County, and has been levied by him upon the following property, to-wit:

1964 Chevrolet, super four, hardtop

and whereas, the property has been delivered to the said _____ Melvin Johnson _____

_____ on his entering into this bond.

NOW, THEREFORE, If the Defendant shall fail in said action, he or his securities shall return the specific property attached and above mentioned to the said Sheriff, within ten days after judgment against said Defendant in this suit, then this obligation to be void, otherwise to remain in full force and effect.

Taken and approved this 31st

day of March, 1969

Melvin Johnson (L. S.)
H.G. Jordan (L. S.)
_____ (L. S.)

Case # 8600

THE STATE OF ALABAMA,
Baldwin County

Circuit Court, Baldwin County

REPLEVY BOND

VS.

Taken and approved this

day of 193

A. C. MICHAEL

Plaintiff

VS.

MELVIN JOHNSON

Defendant

I

}

I

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8600

Comes now the Defendant in the above styled cause and for answer to the Complaint says as follows:

1.

The Defendant for answer to the Bill of Complaint, saith that the allegations contained therein are untrue.

2.

The Defendant for answer to the Bill of Complaint, saith that the allegations contained therein are untrue.

WILTERS, BRANTLEY & NESBIT

BY: *Hyllor S. Nesbit*

Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 3rd day of April, 1969, served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.

WILTERS, BRANTLEY & NESBIT

By: *Hyllor S. Nesbit*

FILED

APR 3 1969

ALICE J. DUCK CLERK
REGISTER

VOL 61 PAGE 717

VOL 61 PAGE 716

THE STATE OF ALABAMA {
Baldwin County

CIRCUIT COURT AT BAY MINETTE, ALA.

KNOW ALL MEN BY THESE PRESENTS, That We, A. C. Michael, Hazel Michael

_____, of the County of Baldwin _____

are held and firmly bound unto Melvin Johnson

in the sum of Five Hundred and Two And 84/100 (\$502.84) Dollars, to

be paid to the said Melvin Johnson

heirs, executors, administrators, or assigns, for which payment, well and truly to be made, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated the _____ day of _____, 19 ____

The Condition of this Obligation is such:

That whereas, the above bounden A. C. Michael, Hazel Michael

_____ have on the day of the date
hereof, prayed an Attachment at the suit of A. C. Michael

_____ against the estate of above named
Melvin Johnson

for the sum of Five Hundred and Two And 84/100 (\$502.84) Dollars,
and hath obtained the same, returnable to the Circuit Court of Baldwin County:

Now, if the said A. C. Michael

should prosecute said Attachment to effect, and pay the said Defendant all such damages as _____
may sustain by the wrongful or vexatious suing out said Attachment, then the above obligation to be
void; otherwise to remain in full force and effect.

And we and each of us hereby waive all rights of claims of exemption we or either of us have now,
or may hereafter have, under the Constitution and Laws of the State of Alabama.

Signed, Sealed, and delivered the date above written.

A. C. Michael (Seal)

Hazel Michael (Seal)

_____ (Seal)

_____ (Seal)

Approved, this 10 day of March, 19 69

Wesley J. Wucbe, Clerk

THE STATE OF ALABAMA }
Baldwin County }

CIRCUIT COURT AT BAY MINETTE, ALABAMA

Before me, the undersigned Notary Public
in and for said County, personally appeared A. C. Michael
who, being duly sworn, on oath saith that Melvin Johnson
justly indebted to
A. C. Michael

in the sum of _____ Dollars,
which said amount is justly due after allowing all just offsets and discounts, and that the said
is due and owing for merchandise, goods and chattels owed by
Melvin Johnson to A. C. Michael

and that this Attachment is not sued out for the purpose of vexing or harassing the Defendant, or other improper motive.

A. C. Michael

Subscribed and sworn to before me this 4th day of March, 1969

Dorothy Turner

No. 8600 Page _____

STATE OF ALABAMA
Baldwin County

CIRCUIT COURT
At Bay Minette, Ala.

A. C. Michael

TO

Melvin Johnson

ATTACHMENT BOND AND AFFIDAVIT

FILED

Filed MAY 10 1969 day

of CLERK, 19 69
CLERK REGISTER

_____, Clerk

_____, Attorney

THE STATE OF ALABAMA,
Baldwin County.

#8600

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, A. C. Michael

hath complained on oath to me, ALICE J. DUCK, Clerk of Circuit Court of Baldwin County, Ala., that
Melvin Johnson

is justly indebted to the Plaintiff A. C. Michael

in the sum of Two Hundred Fifty one and 42/100 (\$251.42) Dollars, and

A. C. Michael having made affidavit and given bond
as required by law, in such cases, you are hereby commanded to attach so much of the estate of
Melvin Johnson

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such estate, so
attached unless replevied, so to secure, that the same may be liable to futher proceedings thereon to be
had by the Circuit Court of Baldwin County, Ala., at a term thereof, to be held at the Court House of said
County, on _____ Monday of _____ 19 ____
next; when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 10 day of March A. D., 1969.

Alice J. Duck Clerk.

attached (1) one
1964 Chev 2 door
Tag #
2A24310
3/26/69

stored at Joe Halls
house Daphne

Sheriff claims 54 calls at
Ten Cents per mile Total \$ 5.40
TAYLOR WILKINS, Sheriff
BY Nordell
DEPUTY SHERIFF

Roy Randall D.S.

No. 8600

ATTACHMENT

A.C. Michael

Vs. { ATTACHMENT

Melvin Johnson

Issued 3-10, 1969

Moore Printing Co.

RECEIVED

~~FILED~~

Received 20 day of March 1969
and on 26 day of March 1969
I served a copy of the within attached
on Melvin Johnson
by office on

Daphne
TAYLOR WILKINS, Sheriff
By Roy Randall D.S.

4-22

A. C. MICHAEL,)	IN THE CIRCUIT COURT OF
plaintiff,)	BALDWIN COUNTY, ALABAMA
VS.)	AT LAW
MELVIN JOHNSON,)	CASE NO. <u>8605</u>
defendant)	


BILL OF COMPLAINT

I

The plaintiff claims of the defendant the sum of TWO HUNDRED FIFTY-ONE AND 42/100 DOLLARS (\$251.42) due from him on account, to-wit: the 10th day of April, 1966, which sum of money with the interest thereon, is still unpaid.

II

The plaintiff claims of the Defendant the sum of TWO HUNDRED FIFTY-ONE AND 42/100 DOLLARS (\$251.42) due from him for merchandise, goods and chattels sold the 10th day of April, 1966, which sum of money with interest thereon is still unpaid.


RICHARD C. LACEY
Attorney for plaintiff

The defendant resides
at Daphne, Alabama

FILED

MAR 10 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 Summonmelvin johnson.....

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.....

.....melvin johnson....., Defendant.....

byA. C. Michael.....

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

Witness my hand this.....day of..... 19.....

....., Clerk

24-3-26-69

E VOL

61 PAGE 712

No. 8600

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

A C Michael

Plaintiffs

vs.

Melvin Johnson

Defendants

SUMMONS AND COMPLAINT

Filed FILED 19.....

MAR 10 1969 Clerk

ALICE J. DUCK

CLERK
REGISTER

Richard Lacey
Plaintiff's Attorney

Defendant's Attorney

R. EIVED

MAR 20 1969
Defendant lives at

WILKINS

Received In Office

19.....

Sheriff

I have executed this summons

this 3/26 1969

by leaving a copy with

Melvin Johnson

Shorths 54 rolls

Run Cnts per rolls Total \$ 540

TAYLOR WILKINS

by Randall

DEPUTY SHERIFF

Gayle Wilkins Sheriff

Roy Randall Deputy Sheriff

Daphne