

13726

RECORDED

MOTION FOR JUDGMENT BY DEFAULT

HORACE KENNEDY,

Plaintiff

vs.

SIDNEY C. WEEKS,

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW - No. 1528

FILED
SEP 21 1950
ALICE J. DUCK, Clerk

02782 (9/21/50)

Handwritten signature/initials

...to the ...
...to the ...
...to the ...

DECEMBER 1949
JAMES C. KENNEDY
AT
HONORABLE JUDGE
TO THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

NOTICE OF MOTION FOR JUDGMENT BY DEFAULT

AFFIDAVIT OF HORACE KENNEDY

THE STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

HORACE KENNEDY, first being duly sworn, deposes and says as follows:

My name is Horace Kennedy; I live at Summerdale, Alabama. On January 21, 1949, Sidney C. Weeks executed a note to me in the amount of FIVE HUNDRED SEVEN & 82/100 DOLLARS (\$507.82), due and payable on July 1st, 1949, with interest at eight per cent (8%) per annum, from date until paid. No payments whatsoever have been made on this note. Said note waives all right to exemption under the laws of the State of Alabama, or any other State, as to personal property, and also provides for a reasonable attorney's fee. I employed Forest A. Christian as my attorney to collect said note. The amount due on this note is \$507.82 principal, plus interest at 8% per annum, from January 21, 1949, together with a reasonable attorney's fee.

Horace Kennedy
Horace Kennedy, Affiant

Sworn to and subscribed before me, a Notary Public in and for Baldwin County, Alabama, this the 20th day of September, 1950.

James H. Christian
Notary Public

THE STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

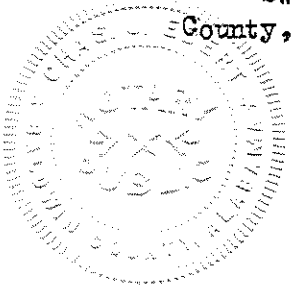
FOREST A. CHRISTIAN, first being duly sworn, deposes and says as follows:

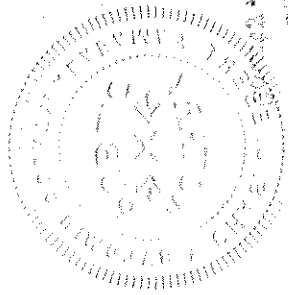
My name is Forest A. Christian; I am a duly licensed and practicing attorney at Foley, Alabama. The note in the case of Horace Kennedy vs. Sidney C. Weeks provides for a reasonable attorney's fee. I am familiar with the reasonable fees charged by the Bar of the Twenty-eighth Judicial Circuit of Alabama, and believe that \$75.00 is a reasonable fee in this matter.

Forest A. Christian
Forest A. Christian, Affiant

Sworn to and subscribed before me, a Notary Public in and for Baldwin County, Alabama, this the 20th day of September, 1950.

James H. Christian
Notary Public





ALICE J. DUCK, Clerk

FILED SEP 21 1950

ALICE J. DUCK, Clerk

**AFFIDAVITS OF HORACE KENNEDY
AND FOREST A. CHRISTIAN**

HORACE KENNEDY,
Plaintiff

SIDNEY C. WEEKS,
Defendant

**IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA**

AT LAW - No. 1528

FILED

SEP 21 1950

ALICE J. DUCK, Clerk

RECORDED

Horace Kennedy, Plaintiff vs. Sidney C. Weeks, Defendant

Horace Kennedy, Plaintiff

together with a large number of persons, and
to the effect of the following: That the
plaintiff, Horace Kennedy, is a white male
born in 1901, and is now residing at
the residence of the defendant, Sidney C.
Weeks, at the town of Wetumpka, Alabama.
The plaintiff, Horace Kennedy, is a
lawyer, and is now practicing law at
the town of Wetumpka, Alabama. The
defendant, Sidney C. Weeks, is a white
male born in 1901, and is now residing
at the residence of the plaintiff, Horace
Kennedy, at the town of Wetumpka, Alabama.
The plaintiff, Horace Kennedy, is a
lawyer, and is now practicing law at
the town of Wetumpka, Alabama. The
defendant, Sidney C. Weeks, is a white
male born in 1901, and is now residing
at the residence of the plaintiff, Horace
Kennedy, at the town of Wetumpka, Alabama.

Horace Kennedy, Plaintiff vs. Sidney C. Weeks, Defendant

Horace Kennedy, Plaintiff
Sidney C. Weeks, Defendant

Horace Kennedy, Plaintiff

SUMMONS

THE STATE OF ALABAMA,)
)
BALDWIN COUNTY.))

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

YOU ARE HEREBY COMMANDED to summon SIDNEY C. WEEKS 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 Bay Minette, against SIDNEY C. WEEKS, by HORACE KENNEDY.

WITNESS my hand this the 12th day of July, 1950.

Reid J. Duck
Clerk

////////////////////

COMPLAINT

HORACE KENNEDY,

Plaintiff

IN THE CIRCUIT COURT OF

vs.

BALDWIN COUNTY, ALABAMA

SIDNEY C. WEEKS,

Defendant

AT LAW

The Plaintiff claims of the Defendant the sum of FIVE HUNDRED SEVEN & 82/100 DOLLARS (\$507.82), due by promissory note made by him on the 21st day of January, 1949, and payable on the 1st day of July, 1949, with interest thereon at the rate of 8% per annum, from date until paid.

In, by and as a part of said note, the defendant waives all right of exemption under the Constitution and Laws of the State of Alabama, or any other state, as to personal property.

Said note provides for a reasonable attorney's fees, which the Plaintiff alleges \$75.00.

Wm. G. Chisler
Attorney for Plaintiff

*Defendant lives
near Foley, Ala.*

8-16-50

Received in Sheriff's Office
this 2 day of July 1950
TAYLOR WILKINS, Sheriff

RECORDED
RECORDED 26

SUMMONS AND COMPLAINT

HORACE KENNEDY,

Plaintiff

vs.

SIDNEY C. WEEKS,

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

FILED

JUL 12 1950

ALICE J. DUCK, Clerk

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

Executed Aug. 16-1950
By Serving Copy on
Sidney C. Weeks

Sheriff
Taylor Wilkins

By
Eddie S. Steadham

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

January 19, 1951

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

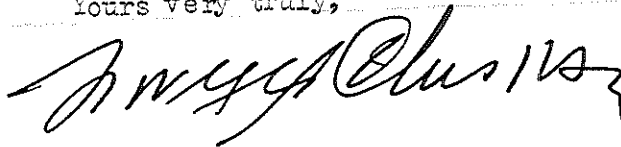
Re: Horace Kennedy
vs: Sidney C. Weeks
Case # 1528

Dear Mrs. Duck:

You are authorized and instructed to dismiss the Farmers & Merchants Bank of Foley, Alabama, and the State Bank of Elberta, Elberta, Alabama, from the garnishments, which were issued out of your court, since the defendant has now paid off the judgment.

Kindly send me a costs bill on the garnishments, and it will be paid.

Yours very truly,

A handwritten signature in dark ink, appearing to read "Forest A. Christian". The signature is fluid and cursive, with a large initial "F" and a long, sweeping underline.

AFFIDAVIT ON JUDGMENT

THE STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

Personally appeared before me, ALICE J. DUCK, Clerk of the Circuit Court in and for said County, FOREST A. CHRISTIAN, who being duly sworn, deposes and saith that HORACE KENNEDY at the September Term, A. D., 1950, of the Circuit Court of Baldwin County recovered a judgment against SIDNEY C. WEEKS for the sum of SIX HUNDRED TWENTY-FIVE & 57/100 DOLLARS (\$625.57) and the further sum of TEN & 55/100 DOLLARS (\$10.55) cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that the STATE BANK OF ELBERTA, Elberta, Alabama, has or is believed to have in its possession or under its control, money or effects belonging to the defendant, or that it is or is believed to be indebted to the defendant, or is to be liable to him on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

Forest A. Christian
Forest A. Christian

Sworn to and subscribed before me this the 25th day of November, 1950.

CLERK OF THE CIRCUIT COURT OF

Alice J. Duck
Clerk of the Circuit Court of
Baldwin County, Alabama.

IN TESTIMONY WHEREOF

I HAVE SIGNED THESE

IN THE CIRCUIT COURT OF

STATE BANK OF ELBERTA

SIDNEY C. WEEKS

HORACE KENNEDY

VERDIALE OF JUDGMENT

FILED
NOV 28 1950
BALDWIN COUNTY, ALA.

AFFIDAVIT ON JUDGMENT

THE STATE OF ALABAMA,

BALDWIN COUNTY.

Personally appeared before me ALICE J. DUCK, Clerk of the Circuit Court in and for said County, HORACE KENNEDY, who being duly sworn, deposes and says that HORACE KENNEDY at the September Term, A. D., 1950, of the Circuit Court of Baldwin County recovered a judgment against SIDNEY C. WELLS for the sum of SIX HUNDRED TWENTY FIVE & 25/100 DOLLARS (\$625.25) and the further sum of TEN & 25/100 DOLLARS (\$10.25) cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that the STATE BANK OF ELBERTA, Elberta, Alabama, has or is believed to have in its possession or under its control, money or effects belonging to the defendant, or that it is or is believed to be indebted to the defendant, or is to be liable to him on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

[Signature]
Notary Public

Subscribed and sworn to before me this 25th day of November, 1950.

AFFIDAVIT ON JUDGMENT
HORACE KENNEDY, Plaintiff
vs.
SIDNEY C. WELLS, Defendant
STATE BANK OF ELBERTA, Garnishee
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 1523

FILED
NOV 25 1950
ALICE J. DUCK, Clerk

AFFIDAVIT ON JUDGMENT

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

Personally appeared before me, ALICE J. DUCK, Clerk of the Circuit Court in and for said County FOREST A. CHRISTIAN, who being duly sworn, deposes and saith that HORACE KENNEDY at the September Term, A. D., 1950, of the Circuit Court of Baldwin County recovered a judgment against SIDNEY C. WEEKS for the sum of SIX HUNDRED TWENTY-FIVE & 57/100 DOLLARS (\$625.57), and the further sum of TEN & 55/100 DOLLARS (\$10.55) cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that the FARMERS & MERCHANTS BANK of Foley, Alabama, has or is believed to have in its possession or under its control, money or effects belonging to the defendant, or that it is or is believed to be indebted to the defendant, or is to be liable to him on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

Forest A. Christian
Forest A. Christian

Sworn to and subscribed before me this the 25th day of November, 1960.

Alice J. Duck
Clerk of the Circuit Court of
Baldwin County, Alabama

AL TWA MO' 1959

BYDINE COOLEY' VIVBIV

IN THE CIRCUIT COURT OF

BYDINE & HENRY 212

SIDNEY C. WEEKS

AS

HORACE KENNEDY

VERIFICATION ON JUDGMENT

FILED
NOV 28 1960
WHEAT HALL 1960

WILSON, JAMES O. JR.

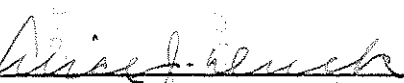
AFFIDAVIT ON JUDGMENT

THE STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

Personally appeared before me, ALICE J. DUCK, Clerk of the Circuit Court in and for said County, FOREST A. CHRISTIAN, who being duly sworn, deposes and saith that HORACE KENNEDY at the September Term, A. D., 1950, of the Circuit Court of Baldwin County recovered a judgment against SIDNEY C. WEEKS for the sum of SIX HUNDRED TWENTY-FIVE & 57/100 DOLLARS (\$625.57) and the further sum of TEN & 55/100 DOLLARS (\$10.55) cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that the STATE BANK OF ELBERTA, Elberta, Alabama, has or is believed to have in its possession or under its control, money or effects belonging to the defendant, or that it is or is believed to be indebted to the defendant, or is to be liable to him on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.


Forest A. Christian

Sworn to and subscribed before me this the 25th day of November, 1950.


Clerk of the Circuit Court of
Baldwin County, Alabama.

A detailed botanical illustration of a plant stem. The stem is vertical and has several large, deeply lobed leaves attached to it. The leaves are elongated with multiple pointed lobes. At the top of the stem, there is a cluster of small, round fruits or flowers. The drawing is done in a fine-lined, etched style.

Plaintiff

vs.

Defendant

Garnis Inc

BALDWIN COUNTY, ALABAMA

AT LAW NO. 1528

FILED

NOV 25 1990

[illegible]

WRIT ON JUDGMENT

THE STATE OF ALABAMA, §
§
BALDWIN COUNTY. §

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

Whereas FOREST A. CHRISTIAN has made affidavit as required by law that HORACE KENNEDY at the September Term, A. D., 1950, of the Circuit Court of Baldwin County recovered a judgment against SIDNEY C. WEEKS for the sum of SIX HUNDRED TWENTY FIVE & 57/100 DOLLARS (\$625.57), and the further sum of TEN & 55/100 DOLLARS (\$10.55), cost of suit; and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that the FARMERS & MERCHANTS BANK of Foley, Alabama, has, or is believed to have in its possession or under its control, money or effects belonging to the defendant, or that it is or is believed to be indebted to the defendant, or to be liable to him on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

These are therefore to command you, that you summon the said FARMERS & MERCHANTS BANK of Foley, Alabama, to be and appear at the next term of the Circuit Court of Baldwin County to be holden for said County, within thirty days after the service of this writ of garnishment, then and there to answer on oath, whether at the time of the service of this writ, or at the time of making its answer, it has in its possession, or under its control any money or effects belonging to the defendant; and whether it is indebted to said defendant, or is liable to him on any contract for the payment of money or the delivery of personal property or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

WITNESS, ALICE J. DUCK, Clerk of said Court at office, this the 25th day of November, A.D., 1950.

Alice J. Duck
Clerk

received in Sheriff's
office 25 day of Nov. 1930
TAYLOR WILKINS, Sheriff

Executed 12-11-30 by
serving copy of the
within on Farmers
merchants Bank of Foley
W. A. Jackson - W. A.
Taylor Wilkins Sheriff

NO 1528 1/2

WRIT ON JUDGMENT

HORACE KERGEDY,

Plaintiff

vs.

SIDNEY G. WEEKS,

Defendant

FARMERS & MERCHANTS BANK

Garnishee

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW No. 1528

FILED

NOV 25 1930

ALICE J. DUCK, Clerk

WRIT ON JUDGMENT

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

Whereas FOREST A. CHRISTIAN, has made affidavit as required by law that HORACE KENNEDY at the September Term, A. D., 1950, of the Circuit Court of Baldwin County recovered a judgment against SIDNEY C. WEEMS for the sum of SIX HUNDRED TWENTY FIVE & 57/100 DOLLARS (\$625.57), and the further sum of TEN & 55/100 DOLLARS (\$10.55), cost of suit; and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that the STATE BANK OF ELBERTA, Elberta, Alabama, has, or is believed to have in its possession or under its control, money or effects belonging to the defendant, or that it is or is believed to be indebted to the defendant, or to be liable to him on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

These are therefore to command you, that you summon the said STATE BANK OF ELBERTA, ELBERTA, ALABAMA, to be and appear at the next term of the Circuit Court of Baldwin County to be holden for said County, within thirty days after the service of this writ of garnishment, then and there to answer on oath, whether at the time of such service of this writ, or at the time of making its answer, it has in its possession, or under its control any money or effects belonging to the defendant; and whether it is indebted to said defendant, or is liable to him on any contract for the payment of money or the delivery of personal property or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

WITNESS, ALICE J. DUX, Clerk of said Court at office, this the 25th day of November, 1950.

Alice J. Dux
Clerk

Executed Dec. 11 1950 By
filing copy of the
within on Books
of Alberta
D.A. Jackson DB
Tsyln Walker Sheriff

NO 1528

WRIT ON JUDGMENT

MORACE KENNEDY,

Plaintiff

vs.

SIDNEY C. WEEKS,

Defendant

STATE BANK OF ALBERTA

Garnishee

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW No. 1528

FILED

NOV 25 1950

ALICE I. DICK, Clerk

AFFIDAVIT ON JUDGMENT

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

Personally appeared before me, ALICE J. DUCK, Clerk of the Circuit Court in and for said County FOREST A. CHRISTIAN, who being duly sworn, deposes and saith that HORACE KENNEDY at the September Term, A. D., 1950, of the Circuit Court of Baldwin County recovered a judgment against SIDNEY C. WEEKS for the sum of SIX HUNDRED TWENTY-FIVE & 57/100 DOLLARS (\$625.57), and the further sum of TEN & 55/100 DOLLARS (\$10.55) cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that the FARMERS & MERCHANTS BANK of Foley, Alabama, has or is believed to have in its possession or under its control, money or effects belonging to the defendant, or that it is or is believed to be indebted to the defendant, or is to be liable to him on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

Forest A. Christian
Forest A. Christian

Sworn to and subscribed before me this the 25th day of November, 1960.

Alice J. Duck
Clerk of the Circuit Court of
Baldwin County, Alabama

W 152812

AFFIDAVIT ON JUDGMENT

HORACE KENNEDY,
Plaintiff

vs:

SIDNEY C. WEEKS,
Defendant

FARMERS & MERCHANTS BANK,
Garnishee

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 1528

FILED
NOV 25 1950
ALICE J. GUCK, Clerk

NOTICE TO DEFENDANT

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

HORACE KENNEDY,

Plaintiff

VS:

SIDNEY C. WEEKS,

Defendant

FARMERS & MERCHANTS BANK, FOLEY, ALABAMA, and

STATE BANK OF ELBERTA, ELBERTA, ALABAMA,

Garnishees

THE STATE OF ALABAMA

BALDWIN COUNTY

NEXT TERM,

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

You are hereby commanded to notify SIDNEY C. WEEKS that on the 25th day of November, 1950, a writ of garnishment in the above stated cause was issued to the FARMERS & MERCHANTS BANK of Foley, Alabama, and the STATE BANK OF ELBERTA, Elberta, Alabama, as garnishees.

And you will return this writ according to law.

Witness my hand this the 25th day of November, 1950.

Beijing Hester
Clerk

Received in office this the 25th day of November, 1950.

Sheriff

Executed by serving a copy of the within writ on Sidney C. Weeks on Dec 11 day of December, 1950.

Toyler Wilburn
Sheriff
Edleigh Steadham
Deputy

W1528 1/2 78

at law - sum paid

NOTICE TO DEFENDANT

MORACE KENNEDY,
Plaintiff

SIDNEY C. WEEKS,
Defendant

FARMERS & MERCHANTS BANK and
STATE BANK OF ALBERTA

Garnishees

FILED

NOV 28 1900

ALICE L. DUCK, Clerk

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW No. 1528

To Sheriff:
Please serve fully
Bank & Alberta Bank
before Sunday, Nov 28 or
he will draw out money
after bank served

1528