

# AFFIDAVIT OF FOREST A. CHRISTIAN

THE STATE OF ALABAMA,
BALDWIN COUNTY.

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

That he is the attorney of record for H. Kennedy, the Plaintiff in the case of H. KENNEDY VS: GROVER LASSITER; that the said Defendant is a non-resident of the State of Alabama; that he is believed to reside in the City of Pontiac, State of Michigan, but his address is otherwise unknown, or if a resident of the State of Alabama, he has been absent from the State for a period of at least six (6) months prior to the institution of these proceedings. And the Defendant, to the best information and belief of the affiant is over the age of twenty-one years. The address of the Defendant after reasonable effort, cannot be ascertained, and is unknown to affiant other than he is believed to reside in the City of Pontiac, Michigan; that the affiant has inquired in and about the vicinity of Summerdale, Alabama, the defendant's former home.

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Sworn to and subscribed before me, a Notary Public in and for Beld County, Alabama, this the day of June, 1951.

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RECORDED No1466

AFFIDAVIT OF FOREST A. CHRISTIAN

H. KENNEDY,

PLAINTIFF

VS:

GROVER LASSITER,

DEFENDANT

IN THE CIRCUIT COURT OF THE TWENTY EIGHTH JUDICIAL CIRCUIT OF ALABAMA AT LAW

> FILED
> JUN 6 1951 ALIGE J. DUCK, Register

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#### MOTION TO ENFORCE PENATLY

FOLEY HARDWARE COMPANY.

PLAINTIFF

IN THE CIRCUIT COURT OF

VS:

BALDWIN COUNTY, ALABAMA

WILLIAM SCHNEIDER, Individually, and doing business as SOUTHERN MOTOR SERVICE,

DEFENDANT

AT LAW. NO. 1688

TO THE HONORABLE JUDGE OF SAID COURT:

Comes the Plaintiff and shows unto the Court that, pursuant to law in such cases made and provided, the Plaintiff propounded interrogatories to the Defendant in the above styled cause; that same were served as required by law; that the time allowed by law in which to answer said interrogatories has expired; and that the Defendant has not answered said interrogatories.

"herefore, the Plaintiff moves the Court (1) to require the Defendant to answer said interrogatories on or before a certain day to be fixed by the Court; (2) to impose upon the Defendant such penalties as are provided by law for Defendant's failure to answer said interrogatories; and (3) to order the said cause to be dismissed without further or additional notice to the Defendant if the Defendant fails or refuses to answer said interrogatories on or before the date fixed by the Court by which the defendant is required to answer.

TO H. M. HALL,

Attorney of record for the Defendant:

6.00

Please take notice that the above motion has been filed in the Circuit Court of Baldwin County, Alabama, and that said motion is set for hearing on day of December, 1951.

I herebyærtify that I have mailed a copy of the foregoing motion and notice to Defendant's attorney of record, this the Z day of December, 1951.

WILLIAM SCHNEIDER, Individually, and doing bus ness as SOUTHERN MOTOR SERVICE

BALDVIN COUNTY, ALABAMA

AT LAW

DEC 3

ALICE J. DUCK, Clerk

## AFFIDAVIT FOR ATTACHMENT

THE STATE OF ALABAMA, BALDWIN COUNTY.

Before me, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, personally appeared Forest A. Christian, who, being duly sworn, deposes and saith:

That Grover Lassiter is justly indebted to the said H. KENNEDY, in the sum of TWO HUNDRED FIFTY EIGHT & 38/100 DOLLARS (\$258.38), which amount is justly due and that the said GROVER LASSITER resides out of the State, and that this attachment is not sued out for the purpose of vexing or harrassing the said defendant.

Forest R. Mristian, Affiant

Sworn to and subscribed before me this the 7th day of June, 1951.

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AFFIDAVIT FOR ATTACHMENT

201668

H. KENNEDY,

PLAINTIFF

VS:

GROVER LASSITER,

DEFENDANT

IN THE CIRCUIT COURT OF THE TWENTY WIGHTH JUDICIAL CIRCUIT OF ALABAMA AT LAW

LAW OFFICE OF

# FOREST A. CHRISTIAN FOLEY, ALABAMA

February 22, 1952.

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

Dear Mrs. Duck:

You are hereby authorized and instructed to dismiss the case of Horace 1668 Kennedy vs: Grover Lassiter, and the case of the Nitrogen Service vs: Grover 1668 Lassiter. A check far the court costs is enclosed.

Yours very truly

FOREST A. CHRISTIAN

FAC/ve

| COMPLAINT        |                                |  |  |  |  |  |  |  |
|------------------|--------------------------------|--|--|--|--|--|--|--|
| H. KENNEDY,      | }                              |  |  |  |  |  |  |  |
| PLAINTIFF        | ) IN THE CIRCUIT COURT OF THE  |  |  |  |  |  |  |  |
| vs:              | TWENTY EIGHTH JUDICIAL CIRCUIT |  |  |  |  |  |  |  |
| GROVER LASSITER, | OF ALABAMA - AT LAW            |  |  |  |  |  |  |  |
| DEFENDANT        | ) BALDWIN COUNTY, ALABAMA      |  |  |  |  |  |  |  |

#### COUNT: I :

The Plaintiff claims of the Defendant the sum of TWO HUNDRED FIFTY EIGHT & 38/100 DOLLARS (\$258.38), together with interest thereon, due from him by account on, to wit? the 23rd day of June, 1950, which sum of money, with interest thereon, is still unpaid.

# COUNT II:

The Plaintiff claims of the Defendant the sum of TWO HUNDRED FIFTY EIGHT & 38/100 DOLLARS (\$258.38), together with interest thereon, due from him on account stated between the P aintiff and the Defendant, on, to wit: the 23rd day of June, 1950, which sum of money, with interest thereon, is still unpaid.

## COUNT III:

The Plaintiff claims of the Defendant the sum of TWO HUNDRED FIFTY EIGHT & 38/100 DOLLARS (\$258.38), together with interest thereon, due from him for merchandise, goods and chattels sold by the Plaintiff to the Defendant on, to wit: the 23rd day of June, 1950, which sum of money, with interest thereon, is still unpaid.

July Olusion Plaintiff

THE STATE OF ALABAMA, BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA, - GREETING:

Whereas, Forest A. Christian, as attorney and agent for H. KENNEDY, hath complained on oath to me, ALICE J. DUCK, Clerk of the Circuit Court of Baldwin County, that GROVER LASSITER is justly indebted to H. KENNEDY in the sum of TWO HUNDRED FIFTY EIGHT & 38/100 DOLLARS (\$258.38); and that said Forest A. Christian having caused to be made affidavit as required by law in such cases: You are hereby commanded to attach so much of the estate of said GROVER LASSITER as will be of value to satisfy the said debt and costs according to the complaint; and such estate, unless replevied so to secure that the same may be liable to further proceedings thereon, to be had at the present session of the Circuit Court of Baldwin County, Alabama, to be held at the Courthouse thereof, when and where you must make known how you have executed this writ.

Witness my hand, this the 7th day of June, A.D., 1951.

IN THE CIRCUIT COURT OF

TWENTY EIGHTH JUDICIAL CIRCULT OF ALABAMA//S

FOREST A. CHRISTIAN FOLEY, ALABAMA LAW OFFICE OF

iff's Office

Received in Sher this Aday of

TAYLOR WIJKIN

BHERIFF'S RETURN:

Probate of Beldwin County Executed the within writ Resident to the Judge of Alabama, for peoord in Pendens Book, o'clook by delivering Notice of Attachment attachment this t day of June, 1951

PLAINTIFF

KENNEDY,

DEFENDANT

GROVER LASSITER,

VS:

H. KENNEDY,

Plaintiff

VS.

GROVER LASSITER,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

OF LAW.

NO. 1668

## PLEA

Now comes the Defendant and for answer to the Complaint filed in this cause and to each and every count thereof, separately, and severally, says:

l. Not guilty.

Attorney for Defendant.

Defendant demands a trial of the said cause by jury.

Attorney for Defendant.

RECORDED

## PLEA

H. KENNEDY,

PLAINTIFF

VS:

GROVER LASSITER,

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO.1668

Filed 9-4-51

# NOTICE OF ATTACHMENT TO NON-RESIDENT DEFENDANT BY PUBLICATION

| H. KENNEDY,                 |                                      |
|-----------------------------|--------------------------------------|
| PLAINTIFF VS:               | ) IN THE CIRCUIT COURT OF THE        |
| GROVER LASSITER,  DEFENDANT | ) ) TWENTY EIGHTH JUDICIAL CIRCUIT ) |
|                             | OF ALABAMA - AT LAW                  |
| NITROGEN SERVICE COMPANY,   | ) BALDWIN COUNTY, ALABAMA<br>)       |
| Vs:                         | ်<br>}<br>ရ                          |
| GROVER LASSITER,            | Ì                                    |
| DEFENDANT                   | Ś                                    |

Whereas, the Plaintiffs, H. KENNEDY and NITROGEN SERVICE COMPANY, in the above stated causes, sued out in said Court writs of attachment against the estate of the Defendant, GROVER LASSITER; and whereas, said writs of attachment were executed by the Sheriff of Baldwin County, Alabama, on the 7th day of June, 1951, by levying upon the following described property of the Defendant, to wit:

The North Half (N2) of the Northwest Quarter (NW1) of the Southwest Quarter (SW2), of the Southwest Quarter (SW2), Section Twenty-four (24), Township Six (6) South, Range Four (4) East, Baldwin County, Alabama.

And whereas the said Defendant is a non-resident of the State of Alabama, and that the place of residence and post office address of said defendant is believed to be Pontiac, Michigan, his address otherwise being unknown. Now, therefore, the Defendant, GROVER LASSITER, is hereby notified of the issuance of said attachments and the executions thereof, and to be and appear if he thinks proper, to defend said suits at the present term of said Court and within thirty days after this notice by publication is completed.

Witness my hand this the 7th day of June, 1951.

Clerk Penale

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RECORDED

NOTICE OF ATTACHMENT TO NON-RESIDENT DEFENDANT BY PUBLICATION

H. KENNEDY,

PLAINTIFF

Vs:

GROVER LASSITER,

DEFENDANT

IN THE CIRCUIT COURT OF THE TWENTY EIGHTH JUDICIAL CIRCUIT AT LAW OF ALABAMA

7. W. S.

#### MOTION TO ENFORCE PENALTY

| HORACE                | KENNEDY,  |           | )          |       |         |       |      |
|-----------------------|-----------|-----------|------------|-------|---------|-------|------|
|                       |           | PLAINTIFF | ) IN       | THE   | CIRCUIT | COURT | OF'  |
|                       | VS:       |           | )<br>) BAI | LDWIN | COUNTY, | ALAB. | AMA, |
| GROVER                | LASSITER, |           | AT         | LAW.  | NC      | . 166 | €    |
| Warmer day a salarana |           | DEFENDANT | ₹          |       |         |       |      |

TO THE HONORABLE JUDGE OF SAID COURT:

Comes the Plaintiff and shows unto the Court that, pursuant to law in such cases made and provided, the Plaintiff propounded interrogatories to the Defendant in the above styled cause; that same were served as required by law; that the time allowed by law in which to answer said interrogatories has expired; and that the Defendant has not answered said interrogatories.

Wherefore, the Plaintiff moves the Court (1) to require the Defendant to answer said interrogatories on or before a day certain to be fixed by the Court; (2) to impose upon the Defendant such penalties as are provided by law for Defendant's failure to answer said interrogatories; and, (3) to order that said cause be dismissed without further or additional notice to the defendant if the defendant fails or refuses to answer said interrogatories on or before the date fixed by the Court by which the defendant is required to answer.

Attorney for Plaintiff

TO J. B. BLACKBURN Attorney for Defendant

Please take notice that the above motion has been filed in the Circuit Court of Baldwin County, Alabama, and that said motion is set for hearing on the age of December, 1951.

Attorney for Plaintiff

OF Counselfor Plaintiff

#### MOTION TO ENFORCE PENALTY

HORACE KENNEDY

PLAINTIFF

VES:

GROVER LASSITER

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 1668

FILED

DEC\_3 1951

ALICE J. DUCK, Clark

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