

1838

SUMMONS

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

YOU ARE HEREBY COMMANDED to summon W. H. O'PRY 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 PERRY COKER, Robertsdale, Alabama.

WITNESS my hand this the 25th day of July, 1952.

Alvin J. Wacker
Clerk

COMPLAINT

PERRY COKER,	)	
	)	IN THE CIRCUIT COURT OF
PLAINTIFF	)	
	)	BALDWIN COUNTY, ALABAMA
VS:	)	
	)	AT LAW.
W. H. O'PRY, a partner	)	
o/a O'PRY BROTHERS.	)	
	)	
DEFENDANT.	)	

The PLAINTIFF claims of the DEFENDANT, FOUR HUNDRED THIRTEEN & 00/100 DOLLARS (\$413.00), due by a promissory note made by him on the 18th day of November, 1948 payable to the order of the AMERICAN NATIONAL BANK AND TRUST COMPANY, of Mobile, Alabama, and duly assigned withou recourse to the order of PERRY COKER on May 24th, 1949, which note was due and payable in eleven (11) monthly installments, of \$50.00 each, the first installment being due November 18, 1948.

Together with interest thereon from May 24th, 1949, at the rate of eight (8%) per cent per annum.

Said note waives all rights of exemption under the Constitution and laws of Alabama or any other State as to personal property.

Also, said note provides for a reasonable attorney's fee which the PLAINTIFF alleges to be \$75.00.

Alvin J. Wacker
Attorney for Plaintiff

There is attached and made part hereof, an affidavit shown the amount due on July 21st, 1952.

An attachment has been issued attaching certain lands in Baldwin County, Alabama, owned by the Defendant.

Alvin J. Wacker

AFFIDAVIT OF PERRY COKER

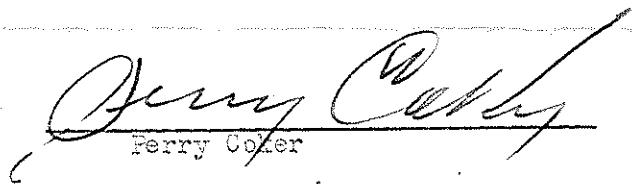
THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

PERRY COKER, first being duly sworn, deposes and says as follows:

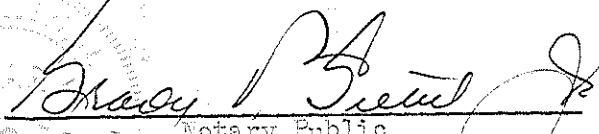
My name is PERRY COKER. I am the Plaintiff in the case of PERRY COKER vs: W. H. O'PRY, a partner d/b/a O'PRY BROTHERS.

On November 18, 1948, W. H. O'PRY, a partner d/b/a O'PRY BROTHERS, executed a promissory note to the AMERICAN NATIONAL BANK & TRUST COMPANY of Mobile, Alabama, which note was in the principal sum of \$550.00, and was due and payable in eleven monthly installments of \$50.00 each, the first installment being due on December 18, 1948. There has been paid on said note, \$137.00 leaving a balance of \$413.00 as of May 24, 1949, together with interest thereon at the rate of eight per cent (8%) per annum from date, when the AMERICAN NATIONAL BANK & TRUST COMPANY assigned the said note without recourse to the order of PERRY COKER.

Said note also waives all rights of exemption and provides for a reasonable attorney's fee.


Perry Coker

Sworn to and subscribed before me
this the 13rd day of July, 1952.



Notary Public
Baldwin Co. Ala.
My Comm expires 7/31/53

PERRY COKER,

PLAINTIFF

VS:

W. H. O'PRY, a partner
d/b/a O'PRY BROTHERS,

DEFENDANT.

AFFIDAVIT OF PERRY COKER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Received in Sheriff's Office
this 28 day of July 1952
TAYLOR WILKINS, Sheriff

Returned 6 day of Aug 1952
Not found in my county after diligent search and inquiry.

Taylor Wilkins, Sheriff
By Taylor Wilkins, Sheriff

FILED
JUL 25 1952
ALICE J. DUCK, Clerk

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

FERRY COKER,

PLAINTIFF

VS:

W. H. O'PRY, a partner
d/b/ a O'PRY BROTHERS,

DEFENDANT

SUMMONS & COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
AT LAW.

RECORDED

#1838

WRIT OF ATTACHMENT

THE STATE OF ALABAMA, }

BALDWIN COUNTY. }

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WHEREAS, FOREST A. CHRISTIAN hath complained on oath to me, ALICE J. DUCK, Clerk of the Circuit Court of Baldwin County, that W. H. O'PRY, is justly indebted to FERRY COKER, in the sum of FOUR HUNDRED THIRTEEN & 00/100 DOLLARS (\$413.00); and the said FERRY COKER having made affidavit and no bond being required in such case: You are hereby commanded to attach so much of the estate of said W. H. O'PRY as will be value to satisfy the said debts and costs, according to the complaint; and such estate, unless replenished, so to secure that the same may be liable to further proceedings thereon, to be had at the present term of the Circuit Court of Baldwin County, to be held at the Court House thereof, when and where you must make known how you have executed this writ.

Witness: ALICE J. DUCK, Clerk of said Court, my hand, this the 22nd day of July, 1952.

Alice J. Duck
Clerk

Executed Aug. 6, 1952 By leaving on the following described property

issued in favor of the Plaintiff in above entitled cause. I have levied on the following described property

of said Defendants, described as follows, viz: ~~12-13-14-15-16-17~~ Theilan and Schumak

~~addn. Foley Reg of S E cor. lot 13 of add'n. theme W 315 feet. to~~

~~pt. on S line of lot 15 for beg. Thence S. 233 ft, W 259 ft. S 84 ft. W~~

~~W 269 ft. N 317 ft E 843 ft to Reg Sec. 29 T75 R1E in N E 4 of S W 4~~

7 copies W. Wilkins Sheriff

PERRY COKER,

Plaintiff,

vs.

W. H. O'PRY, d/b/a
O'PRY BROTHERS,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE.

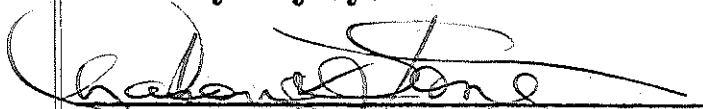
NO. 1838.

Comes the Defendant in the above styled cause and demurs to the Complaint filed in said cause and assigns the following separate and several grounds, viz:

1. That said Complaint does not state a cause of action.
2. That said Complaint does not allege that the note was assigned to the Plaintiff by the American National Bank & Trust Company of Mobile, Alabama.
3. That said Complaint does not allege that the note had not been paid prior to the filing of the suit.
4. That said note does not properly claim the benefit of the exemption provided in said note.
5. That said note does not properly claim an attorney's fee.


Attorneys for the Defendant.

Defendant demands a trial of this
cause by a jury.


Attorneys for the Defendant.

RECORDED

DEMURRER

PERRY COKER,

Plaintiff,

vs.

W. H. O'PRY, d/b/a O'PRY
BROTHERS,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1838.

Filed: September 19 1952.

Ames J. ...
Clerk.

PERRY COKER,

PLAINTIFF

VS:

W. H. O'PRY, a partner
d/b/a O'PRY BROTHERS.

DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

WHEREAS, the PLAINTIFF, PERRY COKER, in the above stated cause, sued out in said Court a writ of attachment against the estate of the DEFENDANT, W. H. O'PRY; and WHEREAS, said writ of attachment was executed by the Sheriff of Baldwin County, Alabama, on the _____ day of July, 1952, by levying upon the following described property of the defendant, to wit:

A lot of land beginning at the Southeast corner of the Northeast quarter of section Twenty-nine (29), in Township Seven (7) South of Range Four (4) East, thence run west six hundred sixty feet (660) for a point of beginning, thence run north sixty-six feet (66) to a point, thence run east seventy-one (71) feet to a point, thence run south sixty-six (66) feet to a point, thence run west seventy-one (71) feet to the point of beginning. . . .

And WHEREAS, the said DEFENDANT is a nonresident of the State of Alabama, and that the place of residence and post office address of said DEFENDANT is Jay, Florida. Now, therefore, the DEFENDANT, W. H. O'PRY, is hereby notified of the issuance of said attachment and the execution thereof, and to be and appear if he thinks proper, to defend said suit at the present term of said Court and within thirty days after this notice by publication is completed.

Witness my hand, this the _____ day of July, 1952.

Rich J. Leuck
Clerk

TO THE POLY ENLOOKER:

Please publish for three successive weeks.

J. J. Ansel

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

PLAINTIFF

W. H. O'BRYEN, a partner
O'BRYEN BROTHERS,
DEFENDANT

WHEREAS, the PLAINTIFF, W. H. O'BRYEN, in the above stated cause, sued
out in said Court a writ of attachment against the estate of the DEFENDANT,
W. H. O'BRYEN, and WHEREAS, said writ of attachment was executed by the Sheriff
of Baldwin County, Alabama, on the _____ day of July, 1932, by leaving upon
the following described property of the defendant, to wit:

A lot of land beginning at the southeast corner of the Northeast
quarter of section twenty-nine (29), in Township Seven (7) South
of Range Four (4) East, thence run west six hundred sixty feet
(660) to a point of beginning, thence run north sixty feet
(60) to a point, thence run east seventy-one (71) feet to a point,
thence run south sixty-six (66) feet to a point, thence run west
seventy-one (71) feet to the point of beginning. . . .

And WHEREAS, the said DEFENDANT is a nonresident of the State of Alabama,

and that the place of residence and post office address of said DEFENDANT is
Tampa, Florida, Now, therefore, the PLAINTIFF, W. H. O'BRYEN, is hereby notified to
appear in said Court and answer the complaint and the execution thereof, and to do and appear
as the law directs, this notice of publication is completed.
Witness my hand and seal of said Court this _____ day of July, 1932.

PERRY COOK, JR.,
CLERK

VS.

O'BRYEN,
a partner
O'BRYEN BROTHERS,
DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

FILED

JUL 25 1932

ALICE I. DUCK, Clerk

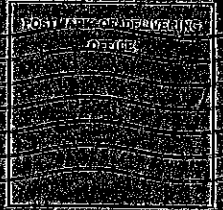
[Signature]
Clerk

Please publish for three successive weeks
TO THE JURY OFFICER:

1838

Post Office Department
OFFICIAL BUSINESS

PERMIT TO OPEN PRIVATE MAIL TO BE PAID BY ADDRESSEE
(GPO)



Return to *Alvin J. Kunkin, Clerk*

Street and Number,
or Post Office Box

Box 237

REGISTERED ARTICLE

No.

82

Post Office *Bay View*

INSURED PARCEL

No.

No. *10-1001*

State *Wen*

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1

W. H. O'Leary
(Signature of addressee)
Delivered to Addressee (Only)

2

(Signature of addressee's agent - Agent should enter address here on line ONE above)

Date of delivery

Aug 10 19*17*

U. S. GOVERNMENT PRINTING OFFICE

16-12211

*Delivered to the
Postmaster
Aug 10 1917*

HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

Alice J. DuckBay Minette, Ala.

Brought Forward

Aug. 14	Legal notice
" 21	for
" 28	Perry Coker

\$ 12. 65

AFFIDAVIT OF PUBLICATION

I, Emm Lowell
Publisher of The Onlooker, published at
Foley, Ala., do solemnly swear that a copy of the above notice,
as per clipping attached, was published once each week in the
regular and entire edition of said newspaper, and not in any
supplement thereof, for Three consecutive weeks, com-
mencing with the issue dated August 14, 1952, and
ending with the issue dated August 28, 1952.

Subscribed and sworn to before me this 27 day
of Sept, 1952

[Signature]
Notary Public.

MY COMMISSION EXPIRES AUGUST 14, 1955

PROBATE JUDGE

No. _____

Bay Minette, Ala., 8-6, 1952

Received of

Taylor Wilkins

FOR RECORD

TOTAL \$

TOTAL: \$

W. R. Smith
Judge of Probate.

Judge of Probate.

LEGAL NOTICE

In the Circuit Court of Baldwin County, Alabama, at law.

Perry Coker, plaintiff vs. W. H. O'Pry, a partner doing business as O'Pry Brothers, defendant.

Whereas, the Plaintiff, Perry Coker, in the above stated cause, sued out in said Court a writ of attachment against the estate of the Defendant, W. H. O'Pry; and whereas, said writ of attachment was executed by the Sheriff of Baldwin County, Alabama, on the 6th day of August, 1952, by levying upon the following described property of the defendant, to wit:

A lot of land beginning at the Southeast corner of the Northeast quarter of section twenty-nine (29), in Township seven (7) South of Range four (4) East; thence run west six hundred sixty feet (660) for a point of beginning; thence run north sixty-six feet (66) to a point; thence run east seventy-one (71) feet to a point; thence run south sixty-six (66) feet to a point; thence run west seventy-one (71) feet to the point of beginning.

And whereas, the said Defendant is a nonresident of the State of Alabama, and that the place of residence and postoffice address

of said Defendant is Jay, Florida. Now, therefore, the Defendant, W. H. O'Pry, is hereby notified of the issuance of said attachment and the execution thereof, and to be and appear if he thinks proper, to defend said suit

at the present term of said Court and within thirty days after this notice by publication is completed.

Witness my hand, this the 6th day of August, 1952.

Alice J. Duck, Clerk
8-14-21-28 '52

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 W. H. O'PRY is justly indebted to the said PERRY COKER, of Robertsdale, Alabama, in the sum of FOUR HUNDRED THIRTEEN & 00/100 DOLLARS (\$413.00), which said amount is justly due, together with interest thereon from May 24, 1949, at the rate of eight (8%) per cent/, and that the said W. H. O'PRY resides out of the state, and that this attachment is not sued out for the purpose of vexing or harassing the said defendant.

Forest A. Christian

Sworn to and subscribed before
me this the ____ day of July, 1952.

Alice J. Duck, Clerk of Court.

7838
RECORDED

PERRY COKER,

PLAINTIFF

VS:

W. H. O'PRY, a partner
d/b/a O'PRY BROTHERS

DEFENDANT.

AFFIDAVIT FOR ATTACHMENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

FILED

JUL 25 1952

ALICE J. DUCK, Clerk

PERRY COKER,

PLAINTIFF

Vs:

W. H. O'PRY, a partner
d/b/a O'PRY BROTHERS.

DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

WHEREAS, the PLAINTIFF, PERRY COKER, in the above stated cause, sued out in said Court a writ of attachment against the estate of the DEFENDANT, W. H. O'PRY: and WHEREAS, said writ of attachment was executed by the Sheriff of Baldwin County, Alabama, on the _____ day of July, 1952, by levying upon the following described property of the defendant, to wit:

A lot of land beginning at the Southeast corner of the Northeast quarter of section Twenty-nine (29), in Township Seven (7) South of Range Four (4) East, thence run west six hundred sixty feet (660) for a point of beginning, thence run north sixty-six feet (66) to a point, thence run east Seventy-one (71) feet to a point, thence run south sixty-six (66) feet to a point, thence run west seventy-one (71) feet to the point of beginning. . . .

And WHEREAS, the said DEFENDANT is a nonresident of the State of Alabama, and that the place of residence and post office address of said DEFENDANT is Jay, Florida. Now, therefore, the DEFENDANT, W. H. O'PRY, is hereby notified of the issuance of said attachment and the execution thereof, and to be and appear if he thinks proper, to defend said suit at the present term of said Court and within thirty days after this notice by publication is completed.

Witness my hand, this the 25th day of July, 1952.

Archie J. Lenoir
Clerk

TO THE FOLEY ONLOOKER:

Please publish for three successive weeks.

1838
RECORDED

PERRY COKER,

PLAINTIFF

VS:

W. H. O'PRY, a partner
d/b/a O'PRY BROTHERS

DEFENDANT.

NOTICE:

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

FILED

JUL 25 1952

ALICE J. DUCK, Clerk

RECEIPT FOR REGISTERED ARTICLE No. 82

Fee paid 30

8-7

(Date)

19 52

Class postage paid 1

Return receipt fee 7

Special delivery fee

Declared value, \$ none

in person ☒

Surcharge paid, \$ —

Restricted delivery
(Accepting employee will place
initials in proper space)

or order

Fee paid 70

From air J Duck

(Sender)

(Street and number)

(Post office and State)

Addressed to W St O'By

(Addressee)

(Street and number)

(Post office and State)

GPO: 1952-10-12066-5

Postmaster, per WAB

