

NOTICE OF DISCOVERY OF ASSETS

L. Irwin & Son

Plaintiff

IN THE CIRCUIT COURT OF

vs:

R. V. Porter

Defendant

BALDWIN COUNTY, ALABAMA

AT LAW, CASE NO. 8891

NOTICE TO DEFENDANT

TO:

Take notice that upon the written request of Daniel E. Robison, Attorney for the Plaintiff, filed in this Court in this cause, you are commanded to file in this Court within thirty days from the service of this notice a statement in writing, under oath, of employment, wages and assets, including money, choses in action, notes, bonds and accounts and all other property, real, personal or mixed or any interest therein, including wages due or payable, with a detailed description of same, the location and reasonable value of each item thereof, together with a detailed list or statement of any and all liens, mortgages or incumbrances thereon showing the amounts due upon each, and the owner or holder of such liens, incumbrances or mortgages.

Be governed accordingly.

Dated this 30 day of Aug, 1971

Ernie B. Blackmon
Clerk of Circuit Court of
Baldwin County, Alabama.

STATE OF ALABAMA

COUNTY OF BALDWIN

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

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

YOU ARE HEREBY COMMANDED to serve a copy of the above notice upon _____

R. V. Porter

Defendant, and make due return thereon, according

to law.

Witness my hand this the 30 day of Aug, 1971.

Ernie B. Blackmon
Clerk, Circuit Court of
Baldwin County, Alabama

8891

L. Erwin & Son

vs.

R. V. Porter

Summersdale

Notice

AUG 30 1971

TAYLOR WILKINS
SHERIFF

FILED

AUG 30 1971

LUNICE B. BLACKMON
CLERK

Daniel E. Robison

Sheriff claims 60 miles at
Ten Cents per mile Total \$ 6.00
TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF Tom

Received 30 day of Aug 1971
and on 4 day of Aug 1971
I served a copy of the within notice
on R. V. Porter
By H. Sporne
60 mi R. T.
S. Doll
TAYLOR WILKINS, Sheriff
D. S.
By service on _____

Daniel F. Robison

ATTORNEY AT LAW

P. O. BOX 794

117 SO. ALSTON ST.

FOLEY, ALABAMA 36535

(205) 943-4955

May 17, 1972

Clerk of the Court
Baldwin County Circuit Court

RE: L. Irwin & Sons
vs. R. V. Porter #8891

We already have a judgment against the Defendant and this action was for a creditor's bill. The sheriff has been unable to serve him so we will clear the calendar by dismissing the creditor's bill.



DER/je

cc: L. Irwin and Sons

Daniel E. Robison

P. O. Box 794
PHONE 943-4955

ATTORNEY AT LAW

117 So. Alston Street
FOLEY, ALABAMA 36535

November 5, 1971

Hon. Telfair J. Mashburn
Circuit Judge
Bay Minette, Alabama

Judge, please set this hearing at least six weeks away, because the Defendant works out of Baldwin County, and the Sheriff's Department has experienced a time lag between the filing of papers and actual service on Mr. Porter.

4891

Dan Robison

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority on this day personally appeared EARNEST LAMAR IRWIN, known to me, who being by me duly sworn states on oath that the foregoing and annexed account in favor of L. IRWIN & SON, against R.V. PORTER, for the ;sum of \$1,260.47 is within the knowledge of the affiant, just and true; that it is due and unpaid and that all lawful offsets, payments and credits have been allowed.

Earnest Lamar Irwin
Affiant

Before me appeared this day Earnest L. Irwin, and he being informed and aware of the contents of the above affidavit, states that the above is true and correct, and he subscribed and swore to it before me, on this day of November, 1969.

Olive D. Williams
Notary Public

My Commission Expires May 29, 1973

FILED

NOV 4 1969

ALICE J. DUCK CLERK
REGISTER



SHEET NO. _____

ACCOUNT NO. _____

TERMS _____

NAME _____

RATING _____

ADDRESS _____

CREDIT LIMIT _____

R. V. Pontier
D & L DairyE-1 Linnamobile
36580

1-5121

DATE
1968

ITEMS

FOL.

DEBITS

CREDITS

DR.
OR
CR.

BALANCE

7/10	Feed & Salt	4584	1190		1190 ✓
7/20	Plow 7c	4660		1190	00
7/20	1 L.S. Minerals	4661	260		260
7/29	Rum Magnin	4979	274		634
7/29	Plow 7c	5111		260	374
10/1	201 Bu Seed Oats	150 5125	30150		30524
	600 lbs Gulf Soybeans	124x "	7500		38024
10/17	20,540 lbs Corn 36.73	1.06 5220	38878		
	300 lbs R. Vitamin 9000	.45 "	13500		
	50 lbs Mining Chew	"	1010	620	90792
10/17	20580 lbs Corn 367.5 Bu	1.06 5227	38955		129747
	4 Salt	150 "	600		130347
10/18	20400 lbs Milo	175 5270	35100		166047
11/27	Plow 7c	591		20000	146047
4/5/69	Plow 7c	6611		20000	126047 ✓

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon R.V. Porter, of RFD#1, Summerdale, to appear at the next term of the Circuit Court, to be held for said County, at the place of holding the same, then and there to answer the complaint of L. Irwin & Son.

Witness my hand, this 22 day of Sept., 1969.

Alice J. Duck
Circuit Clerk

L. IRWIN & SON,)	IN THE CIRCUIT COURT OF
Plaintiff)	BALDWIN COUNTY, ALABAMA
vs.)	AT LAW
R.V. PORTER,)	No. 8891
Defendant)	

COMPLAINT

The Plaintiff claim of the Defendant Twelve Hundred and Sixty and forty-seven/one hundredths (\$1,260.47) Dollars, due for merchandise and goods sold by the Plaintiff to the Defendant on or about the 15th day of October, 1968, which sum of money is now due.

Daniel E. Robison
Daniel E. Robison
Attorney for Plaintiff

FILED

SEP 22 1969

ALICE J. DUCK

CLERK
REGISTER

8891

L. Lewin + Jon
Plt

vs.

R. V. Porter
Def

FILED

SEP 22 1969

ALICE J. DUCK

CLERK
REGISTER

Daniel E. Robinson

Received 23 day of Sept 1969
and on 1 day of Oct 1969
I served a copy of the within SLC
on R. V. Porter
By service on _____

TAYLOR WILKINS, Sheriff
By McArthur McArthur D. S.

Sheriff claims 65 miles at
Ten Cents per mile Total \$6.50
TAYLOR WILKINS, Sheriff
McArthur
SHERIFF

4-29
4-29

L. IRWIN & SON

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Plaintiff

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IN THE CIRCUIT COURT OF

v.

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BALDWIN COUNTY, ALABAMA

R.V. PORTER

*

AT LAW

Defendant

*

No. 8891

MOTION FOR DEFAULT JUDGMENT AND WRIT OF INQUIRY

TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE OF SAID COURT:

Comes now your Plaintiff and says:

1) That he filed this cause through his attorney and it was served by personal service on the Defendant on the 1st day of October, 1969.

2) That the time for demurrer, plea or answer has passed and the Defendant came not, but made default.

3) THEREFORE, Plaintiff asks that he be adjudged by the Court that to be entitled to recover damages from the Defendant. But inasmuch as such damages are unknown to the Court, let the Plaintiff submit his proof under a Writ of Inquiry, that the Court may properly assess the damages.

Daniel C. Robinson
Attorney for Plaintiff

FILED

NOV 3 1969

ALICE J. DUCK CLERK
REGISTER

L. IRWIN & SON

Plaintiff

v.

R.V. PORTER

Defendnt

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

No. 8891

JUDGMENT

This day came the Plaintiff and by attorney; and it appearing to this Court that at a former date of this Court a judgment was rendered in favor of the Plaintiff and against the Defendant, and that a writ of inquiry was awarded to ascertain and determine the claims and demands of the Plaintiff.

And the Defendant being called, came not but made Default. And after hearing the evidence, the Court being of the opinion and it is the judgment of the Court that judgment be rendered in favor of the Plaintiff and against the Defendant, and that the Plaintiff have and recover of the Defendant his claims and demands in the Complaint.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED by the Court, that the Plaintiff have and recover of the Defendant the sum of \$1240.47. . together with the costs in this behalf expended, and for all of which execution may issue.

Done this 6th. . day of November, 1969.

Telfair J. Mashburn
Telfair J. Mashburn
Circuit Judge

THE COURT OF APPEALS
IN THE DISTRICT OF COLUMBIA

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EXHIBIT

This is a true and correct copy of the original and is

presented to the Court as a true and correct copy of the original and is
presented to the Court as a true and correct copy of the original and is
presented to the Court as a true and correct copy of the original and is
presented to the Court as a true and correct copy of the original and is
presented to the Court as a true and correct copy of the original and is

And the defendant being called, asked and was asked
and after hearing the evidence, the Court being of the opinion
that in the judgment of the Court that the defendant is
in favor of the plaintiff and against the defendant, and that
the plaintiff have the recovery of the defendant the claim and

the plaintiff have the recovery of the defendant the claim and

It is the order of the Court that the plaintiff have the recovery of the defendant
the sum of \$10,000.00 together with the costs in this
cause expended, and for all of which execution may issue.
Dated this 11th day of December, 1911.

Respectfully submitted,
John E. McLaughlin
Clerk of Court

R
L. IRWIN & SON,

plaintiff

vs.

R.V. PORTER,

Defendent

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 8891

CREDITOR'S BILL

TO THE HONORABLE EUNICE BLACKMAN, CLERCK OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Whereas, in the above entitled cause the Plaintiff recovered a judgment against the said Defendent, in Case No. 8891, At Law, on the 5th day of November, 1969 for the sum of TWELVE HUNDRED AND SIXTY AND 47/100ths(\$1,260.47) DOLLARS, besides the costs of said cause; and whereas, execution was issued on said judgment against the said R.V. PORTER on the 6th day of November, 1969, the said execution was returned by the Sheriff of Baldwin County, Alabama, with the endorsement thereon "No Property Found," and said judgment remains unpaid and unsatisfied.

Now, therefore, this is to request you as Clerk of said Court to issue a notice to said R.V. PORTER requiring him to file in the Circuit Court, within thirty days from service of notice, a statement in writing, under oath, of all the assets of the said R.V. PORTER, including money, personal and real property, choses in action, bonds and accounts, with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed statement of all liens, mortgages or incumbrances thereon, showing the amounts due upon each, and the owner or holder of such liens, mortgages or incumbrances.

R.V. Porter lives at B5X 224, Summerdale, Alabama.

Dated this 27th day of August, 1971.

Daniel E. Robinson
Attorney for Plaintiff

FILED

AUG 30 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

L. IRWIN & SON,

plaintiff

vs.

R.V. PORTER,

Defendent

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 8891

CREDITOR'S BILL

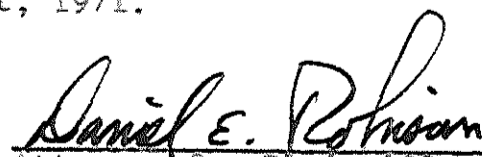
TO THE ~~HONORABLE~~ EUNICE BLACKMAN, CLERK OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Whereas, in the above entitled cause the Plaintiff recovered
a judgment against the said Defendent, in Case No. 8891, At Law,
on the 6th day of November, 1969 for the sum of TWELVE HUNDRED
AND SIXTY AND 47/100ths(\$1,260.47) DOLLARS,,besides the costs
of said cause; and whereas, execution was issued on said judg-
ment against the said R.V. PORTER on the 6th day of November,
1969, ~~the~~said execution was returned by the Sheriff of Baldwin
County, Alabama, with the endorsement thereon "No Property Found,"
and said judgment remains unpaid and unsatisfied.

Now, therefore, this is to request you as Clerk of said Court
to issue a notice to said R.V. PORTER requiring him to file in the
Circuit Court, within thirty days from service of notice, a state-
ment in writing, under oath, of all the assets of the said R.V.
PORTER, including money, personal and real property, choses in
action,,bonds and accounts, with a detailed description of the
same, the location and reasonable value of each item thereof, to-
gether with a detailed statement of all liens, mortgages or in-
cumbrances thereon, showing the amounts due upon each, and the
owner or holder of such liens, mortgages or incumbrances.

R.V. Porter lives at Box 224, Summerdale Alabama.

Dated this 27th day of August, 1971.


Attorney for Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority on this day personally appeared EARNEST LAMAR IRWIN, known to me, who being by me duly sworn states on oath that the foregoing and annexed account in favor of L. IRWIN & SON, against R.V. PORTER, for the sum of \$1,260.47 is within the knowledge of the affiant, just and true; that it is due and unpaid and that all lawful offsets, payments and credits have been allowed.

Ernest Lamar Irwin
Affiant

Before me appeared this day Earnest L. Irwin, and he being informed and aware of the contents of the above affidavit, states that the above is true and correct, and he subscribed and swore to it before me, on this day of November, 1969.

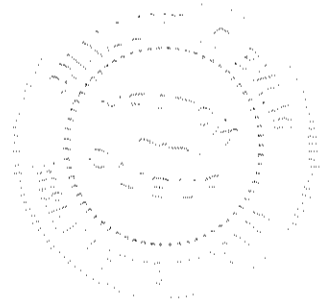
Olive D. Hollman
Notary Public

My Commission Expires May 29, 1973

FILED

NOV 4 1969

ALICE J. DUCK CLERK
REGISTER



SHEET NO. _____

ACCOUNT NO. _____

TERMS _____

NAME _____

RATING _____

ADDRESS _____

CREDIT LIMIT _____

R. V. Pontier
Dr L. DalryC-1 Lummula
34580

1-5121

DATE
1928

ITEMS

FOL

DEBITS

CREDITS

DR.
OR
CR.

BALANCE

2/10	Feed & Salt	4584	1190		1190
2/20	Plow 7c	4660		1190	0
2/20	1 L.S. Minerals	4661	260		260
2/20	Plow 7c	4979	274		634
2/28	Plow 7c	5111		260	374
10/1	201 lbs Seed Oats	150 5125	30150		30524
	600 lbs Gulf Ryegrass	124 "	7500		38024
10/1	20540 lbs Corn 36.73	1.06 5220	38878		
	300 lbs A. Station grain	145 "	13300		
	50 lbs Mung Beans	"	1010	620	90792
10/14	20580 lbs grain 367.50	1.00 5227	38955		129747
	4 Salt	150 "	600		130347
10/18	20400 lbs Milo	175 5220	35700		166047
11/18	Plow 7c	5391		20000	146047
4/8/19	Plow 7c	6611		20000	126047

L. IRWIN & SON

Plaintiff

v.

R.V. PORTER

Defendant

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

No. 8891

MOTION FOR DEFAULT JUDGMENT AND WRIT OF INQUIRY

TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE OF SAID COURT:

Comes now your Plaintiff and says:

1) That he filed this cause through his attorney and it was served by personal service on the Defendant on the 1st day of October, 1969.

2) That the time for demurrer, plea or answer has passed and the Defendant came not, but made default.

3) THEREFORE, Plaintiff asks that he be adjudged by the Court that to be entitled to recover damages from the Defendant. But inasmuch as such damages are unknown to the Court, let the Plaintiff submit his proof under a Writ of Inquiry, that the Court may properly assess the damages.

Daniel C. Robinson
Attorney for Plaintiff

L. IRWIN & SON,)
Plaintiff) IN THE CIRCUIT COURT OF
vs.) BALDWIN COUNTY, ALABAMA
R. V. PORTER,) ~~IN EQUITY~~ (LAW NO.8891)
Defendant) NO. _____

ORDER

The Plaintiff, by his attorney, having shown by his petition that he has recovered a judgment against the Defendant in the amount of Twelve Hundred and sixty and 47/100ths Dollars (\$1,260.47), and that the judgment is still unsatisfied, and the Sheriff's Department has reported "No Property Found," and the Plaintiff filed a Creditor's Bill for discovery of the assets of the Defendant, and the Bill was served on the Defendant and more than thirty days have expired since service on the Defendant, and he has not answered the Bill, and the Plaintiff has asked that a hearing be held for the Defendant to show cause why he should not be held in contempt of Court, it is therefore,

ORDERED, ADJUDGED, and DECREED that the Defendant, R. V. Porter, come before this Court on the 29th day of December, 1971, at 9:30 A. M., there to show cause why he should not be held in contempt of Court.

Telfair J. Mashburn
Telfair J. Mashburn,
Circuit Judge

L. IRWIN & SON,)
Plaintiff) IN THE CIRCUIT COURT OF
vs.) BALDWIN COUNTY, ALABAMA
R. V. PORTER,) ~~IRWIN & SON~~ (LAW NO. 8891)
Defendant) NO. _____

MOTION TO SHOW CAUSE

TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE OF SAID COURT:

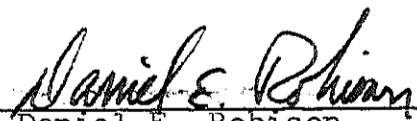
Whereas, in the above styled cause the Plaintiff recovered a judgment against the said Defendant on the 6th day of November, 1969, for the sum of Twelve Hundred and sixty and 47/100ths Dollars (\$1,260.47), besides the costs of said cause, and

Whereas, after execution was returned by the Sheriff of Baldwin County, Alabama, with the endorsement thereon "No Property Found," and said judgment remains unpaid and unsatisfied, and

Whereas, Plaintiff filed a Creditor's Bill for discovery of the assets of the Defendant, and this Bill was served on the Defendant on October 4, 1971, and more than thirty days have expired from date of service, and Defendant has not filed an answer in this Court, and

Whereas, wilful failure to file a statement of assets or to appear and submit to oral examination, shall constitute a contempt of Court under Title 7, Sec.905, Code of Alabama 1940,

Now, therefore, Plaintiff asks that this Honorable Court set a date and time for the Defendant to appear and show cause why he should not be held in contempt of Court for his failure to answer to the Creditor's Bill.


Daniel E. Robison
Counsel for Plaintiff

FILED

NOV 8 1971

EUNICE B. BLACKMON CIRCUIT CLERK

Received 6 day of Dec. 1977
and on 19 day of Order & Motion
I served a copy of the within Order & Motion
on R. V. Porter

By service on _____
TAYLOR WILKINS, Sheriff
By _____

Sheriff claims _____ miles at
Ten Cents per mile Total \$ _____
TAYLOR WILKINS, Sheriff
BY _____ DEPUTY SHERIFF

Returned 21 day of April 1978
Not found in my county after diligent search and in-
quiry.

Taylor Wilkins, Sheriff
W. Wilkins
Deputy Sheriff

DEC 6 1971
TAYLOR WILKINS
SHERIFF

Samuel Robison

Greenwood
8891
On Boat
L. Irwin + Son

as:
R. V. Porter
Rt. 1. Bx 224
Summerdale, Ala.

L. IRWIN & SON,)
Plaintiff) IN THE CIRCUIT COURT OF
vs.) BALDWIN COUNTY, ALABAMA
R. V. PORTER,) ~~IN~~ (LAW NO. 8891)
Defendant) NO. _____

ORDER

The Plaintiff, by his attorney, having shown by his petition that he has recovered a judgment against the Defendant in the amount of Twelve Hundred and sixty and 47/100ths Dollars (\$1,260.47), and that the judgment is still unsatisfied, and the Sheriff's Department has reported "No Property Found," and the Plaintiff filed a Creditor's Bill for discovery of the assets of the Defendant, and the Bill was served on the Defendant and more than thirty days have expired since service on the Defendant, and he has not answered the Bill, and the Plaintiff has asked that a hearing be held for the Defendant to show cause why he should not be held in contempt of Court, it is therefore,

ORDERED, ADJUDGED, and DECREED that the Defendant, R. V. Porter, come before this Court on the ^{29th} day of December, 1971, at 9:30 A. M., there to show cause why he should not be held in contempt of Court.

J. J. Mashburn
Telfair J. Mashburn,
Circuit Judge

L. IRWIN & SON,)	
Plaintiff)	IN THE CIRCUIT COURT OF
vs.)	BALDWIN COUNTY, ALABAMA
R. V. PORTER,)	IN THE CIRCUIT COURT OF (LAW NO. 8891)
Defendant)	NO. _____

ORDER

The Plaintiff, by his attorney, having shown by his petition that he has recovered a judgment against the Defendant in the amount of Twelve Hundred and sixty and 47/100ths Dollars (\$1,260.47), and that the judgment is still unsatisfied, and the Sheriff's Department has reported "No Property Found," and the Plaintiff filed a Creditor's Bill for discovery of the assets of the Defendant, and the Bill was served on the Defendant and more than thirty days have expired since service on the Defendant, and he has not answered the Bill, and the Plaintiff has asked that a hearing be held for the Defendant to show cause why he should not be held in contempt of Court, it is therefore,

ORDERED, ADJUDGED, and DECREED that the Defendant, R. V. Porter, come before this Court on the ^{29th} ~~29th~~ day of December, 1971, at 4:30 A. M., there to show cause why he should not be held in contempt of Court.

Telfair J. Mashburn
Telfair J. Mashburn,
Circuit Judge

L. IRWIN & SON,)
Plaintiff) IN THE CIRCUIT COURT OF
vs.) BALDWIN COUNTY, ALABAMA
R. V. PORTER,) ~~IN THE~~ (LAW NO. 8891)
Defendant) NO. _____

MOTION TO SHOW CAUSE

TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE OF SAID COURT:


Whereas, in the above styled cause the Plaintiff recovered a judgment against the said Defendant on the 6th day of November, 1969, for the sum of Twelve Hundred and sixty and 47/100ths Dollars (\$1,260.47), besides the costs of said cause; and

Whereas, after execution was returned by the Sheriff of Baldwin County, Alabama, with the endorsement thereon "No Property Found," and said judgment remains unpaid and unsatisfied, and

Whereas, Plaintiff filed a Creditor's Bill for discovery of the assets of the Defendant, and this Bill was served on the Defendant on October 4, 1971, and more than thirty days have expired from date of service, and Defendant has not filed an answer in this Court, and

Whereas, wilful failure to file a statement of assets or to appear and submit to oral examination, shall constitute a contempt of Court under Title 7, Sec.905, Code of Alabama 1940,

Now, therefore, Plaintiff asks that this Honorable Court set a date and time for the Defendant to appear and show cause why he should not be held in contempt of Court for his failure to answer to the Creditor's Bill.


Daniel E. Robison
Counsel for Plaintiff