

April 1,

1953

Mr. T. A. McKenzie

Fairhope, Alabama.

IN ACCOUNT WITH

**PEOPLES FERTILIZER CO.  
HIGH GRADE FERTILIZER**

FOLEY, ALA.

PHONE 70

|             |                                 |         |    |
|-------------|---------------------------------|---------|----|
|             | Statement rendered              | \$2,114 | 59 |
|             | Paid by cash                    | 300     | 00 |
|             |                                 | 1,814   | 59 |
| Interest at | 6% on \$2,114.59 for two months | 18      | 14 |
|             |                                 | 1,832   | 73 |
| Interest at | 6% from 7/12/52 to 4/1/53       | 201     | 03 |
|             | Balance due                     | \$2,033 | 76 |

STATE OF ALABAMA

BAIRDWIN COUNTY

Be it remembered, that on this 1 day of April, 1953, personally appeared before me, the undersigned authority, R. C. Gaudin, Jr. known to me who being duly sworn upon his oath that he is the President of Peoples Fertilizer Co., a corporation, organized and doing business under the laws of the State of Alabama and has been duly authorized by said corporation to make this affidavit. That he is familiar with the books and business of said Peoples Fertilizer Co., Inc.; that the above account against T. A. McKenzie of Fairhope, Alabama, is just and correct, within the knowledge of this affiant, that credit has been duly given for all payments and just and lawful offsets to which the said account is entitled as thereon stated, and that the balance thereof, amounting to the sum of two Thousand Thirty-three and 76/100 (\$2,033.76) DOLLARS from April 1, 1953, is justly due and remains unpaid.

I hereby certify under my official seal that I am authorized as a Notary Public to administer oaths under the laws of the State of Alabama and that the foregoing was subscribed and sworn to before me on the day and year first above stated.

J. W. Crossley  
Notary Public

PEOPLES FERTILIZER CO., INC.,  
A Corporation,

Plaintiff,

- VS -

T. A. MCKENZIE and MARGARET  
MCKENZIE,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

AT LAW.

2015

O R D E R

It appearing to the Court in this cause that an execution was issued against the Defendants, and that the Sheriff has offered for sale some property as the property of the Defendants, and that the bidder at the sale has not deposited the amount of his bid with the Sheriff though more than five (5) days have elapsed;

It is, therefore, Ordered, Adjudged and Decreed that said sale be set aside on the motion of DOYLE HORNBEAK and MAGGIE L. HORNBEAK and the sheriff is ordered to return the levy unsatisfied.

Done this the 17 day of ~~April~~ May, 1960.

FILED

MAY 17 1960

ALICE J. DUCK, CLERK  
REGISTER

Robert M. Hall  
Circuit Judge.

PEOPLES FERTILIZER COMPANY,

PLAINTIFF

VS

J. A. RIEBELING,

DEFENDANT

L. IRWIN & SON

GARNISHEE

0

0

0

0

0

0

0

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 2015

In this cause it appearing to the court that a Writ of Garnishment has heretofore issued out of this court to L. Irwin & Son on a judgment rendered against the Defendant J. A. Riebeling and in favor of the Plaintiff Peoples Fertilizer Company, a corporation, that the said Writ of Garnishment having been issued for the sum of \$1019.20; and it further appearing to the court that the Garnishee L. Irwin & Son, has answered indebted to said J. A. Riebeling in a sum in excess of \$1019.20.

And it further appearing to the court that on the 26th day of January, 1954, this court ordered L. Irwin & Son to pay into the hands of the Clerk of the Circuit Court of Baldwin County, Alabama, the sum of \$1019.20 out of the funds due said Defendant and it further appearing that the said L. Irwin & Son has paid \$1019.20 to the Clerk of the Circuit Court of Baldwin County, Alabama.

It is considered, ordered and adjudged by the court that the said money should be condemned.

It is now therefore ordered, adjudged and decreed that the said money is hereby condemned and the Clerk of the Circuit Court of Baldwin County, Alabama, is hereby ordered and decreed to pay over the same sum to the Plaintiff or his attorney of record after first deducting the costs of said garnishment.

Done and ordered this the 25 day of February, 1954.

Hubert M. Hall  
Judge of the Twenty Eighth Circuit

Plaintiff

Defendant

2015

PROPRIETARY FERTILIZER COMPANY,

PLAINTIFF

VS

J. A. RIEBELING,

DEFENDANT

L. IRWIN & SON

GARNISHEE

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 2015

In this cause it appearing to the court that a writ of Garnishment

has heretofore issued out of this court to L. Irwin & Son on a judgment

rendered against the Defendant J. A. Riebeling and in favor of the Plaintiff

Proprietary Fertilizer Company, a corporation, that the said writ of Garnish-

ment having been issued for the sum of \$1012.20; and it further appearing

to the court that the Garnishee L. Irwin & Son, has answered indebted to

said J. A. Riebeling in a sum in excess of \$1012.20.

And it further appearing to the court that on the 26th day of January,

1951, this court ordered L. Irwin & Son to pay into the hands of the Clerk

of the Circuit Court of Baldwin County, Alabama, the sum of \$1012.20 out

of the funds due said Defendant and it further appearing that the said L.

Irwin & Son has paid \$1012.20 to the Clerk of the Circuit Court of Baldwin

County, Alabama.

It is considered, ordered and adjudged by the court that the said money

should be returned.

It is now therefore ordered, adjudged and decreed that the said money

is hereby condemned and the Clerk of the Circuit Court of Baldwin County,

Alabama, is hereby ordered and decreed to pay over the same sum to the

Plaintiff or his attorney of record after first deducting the costs of said

Garnishment.

Done and ordered this the 17th day of February, 1951.

*Hubert M. Jones*  
Judge of the Twenty Eighth Circuit

SUMMONS AND COMPLAINT

STATE OF ALABAMA      §

BALDWIN COUNTY      §

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon T. A. MCKENZIE to appear within thirty days from the service of this writ to be held for the said Court at the place of holding the same, then and there to answer the complaint of PEOPLES FERTILIZER COMPANY, a corporation.

Witness my hand, this 10<sup>th</sup> day of June, 1953.

Alice J. French  
Clerk

PEOPLES FERTILIZER COMPANY,  
a Corporation,

Plaintiff,

VS.

T. A. MCKENZIE,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW

CASE NO. 2015.

COUNT ONE:      The Plaintiff claims of the Defendant ONE THOUSAND ONE TWO and 89/100 (\$1,102.89) DOLLARS due by promissory note made by him on the of April, 1951, and payable on the 25th day of June, 1951, with interest the

COUNT TWO:      The Plaintiff alleges that the Defendant waives all expenses as to personal property under the laws of the State of Alabama, and agreed all cost for collecting or securing or attempting to collect or secure said including a reasonable attorney's fee; that TWO HUNDRED AND FIFTY (\$250.00) is a reasonable attorney's fee which amount the Plaintiff claims of the Defendant.

COUNT THREE :      The Plaintiff claims of the Defendant the THIRTY-THREE AND 76/100 (\$2,033.76) DOLLARS due from him by account April 1, 1953, which sum of money with the interest thereon is

An itemized statement of the account sued affidavit of a competent witness, is hereto attached as Exhibit hereof.

WILKES AND BRANTLEY

SUMMONS AND COMPLAINT

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon T. A. MCKENZIE to appear within thirty days from the service of this writ to be held for the said County at the place of holding the same, then and there to answer the complaint of PEOPLES FERTILIZER COMPANY, a corporation.

Witness my hand, this 10<sup>th</sup> day of June, 1953.

Alvin J. French  
Clerk

PEOPLES FERTILIZER COMPANY,  
a Corporation,

Plaintiff,

VS.

T. A. MCKENZIE,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW

CASE NO. 2015.

COUNT ONE: The Plaintiff claims of the Defendant ONE THOUSAND ONE HUNDRED TWO and 89/100 (\$1,102.89) DOLLARS due by promissory note made by him on the 9th day of April, 1951, and payable on the 25th day of June, 1951, with interest thereon.

COUNT TWO: The Plaintiff alleges that the Defendant waives all exemption as to personal property under the laws of the State of Alabama, and agreed to pay all cost for collecting or securing or attempting to collect or secure said note including a reasonable attorney's fee; that TWO HUNDRED AND FIFTY (\$250.00) DOLLARS is a reasonable attorney's fee which amount the Plaintiff claims of the Defendant.

COUNT THREE: The Plaintiff claims of the Defendant the sum of TWO THOUSAND THIRTY-THREE AND 76/100 (\$2,033.76) DOLLARS due from him by account on, to-wit, April 1, 1953, which sum of money with the interest thereon is still unpaid.

An itemized statement of the account sued on, verified by the affidavit of a competent witness, is hereto attached as Exhibit A and made a part hereof.

WILTERS AND BRANTLEY

By:

Robert M. Brantley  
Attorneys for Plaintiff

7-3-53 10 2010

SUMMONS AND COMPLAINT

PEOPLES FERTILIZER COMPANY,  
a Corporation,

Plaintiff,

VS.

T. A. MCKENZIE,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW

CASE NO. \_\_\_\_\_

FILED  
JUN 10 1953  
ALICE J. DUCK, Clerk

Received in Sheriff's Office  
this 10 day of June 1953  
TAYLOR WILKINS, Sheriff

Executed July 3, 1953  
By Serving copy on  
J. A. McKenzie

Sheriff  
Taylor Wilkins  
By  
Edleigh Steadham

5102