BURTON H. SILVERSTEIN, d/b/a AAA ASSIGNMENT SERVICE, AS ASSIGNEE OF SOUTH BALDWIN HSOPITAL

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

Plaintiff

Ĭ

VS.

---AT LAW

GEORGE WESLEY SMITH, JR.

Ž

CASE NO. 8995

Defendant

ORDER

This day came Phyllis S. Nesbit, Attorney of Record for Burton H. Silverstein, d/b/a AAA Assignment Service, the Plaintiff in the above styled cause, and filed her affidavit that to the best of Affiant's knowledge, information and belief the statement of assets heretofore filed by George Wesley Smith, Jr. the above named Defendant and Judgment debtor, is not a full, true and correct statement and description of his assets and the said Judgment in this cause remaining unsatisfied, and now, upon consideration of the same, it is,

Smith, Jr. be and appear before the Court in his own proper person at 11:00 A.M. on the Text day of May 1970, to submit to an oral examination under oath touching the nature, location, description and value of such assets; and that the said George Wesley Smith, Jr. do, at the time and place hereinabove named, produce and bring with him all papers, documents or books which may contain material evidence of his assets.

Let a copy of this Order be served forthwith upon the said George Wesley Smith, Jr.

Dated this 16th day of April , 1970.

Circuit Judge of Baldwin County, Alabama

FILED

APR 161970

ALCE J. DICK REGISTER

Shoriff claims

Jen Cants per mile Total \$ 442

TAYLOR WILKINS, Sheriff

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DEPUTY SHERIFF

TAMOR WEKINS, Shoriff 84 45 M R 7 20 LL S. S. 45 LL S. 20 LL S. 20

Burton H. Solverstein

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Creorge Wesley-Smith

APR 1 6 1970

ALUL J. BUJI REGISTER

Nesbit

BURTON H. SILVERSTEIN, d/b/a
AAA ASSIGNMENT SERVICE,
Plaintif

VS:

GEORGE WESLEY SMITH, JR.

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA
AT LAW, CASE NO. 8995

DISCOVERY NOTICE FOR ASSETS OF JUDGEMENT DEBTOR

T0	:	GEORGE	WESLEY	SMITH,	JR.	<u> </u>	
						1	

TAKE NOTICE, WHEREAS, THE PLAINTIFF HEREIN HAS REQUESTED IN WRITING, THE UNDERSIGNED, AS CLERK OF THIS COURT, TO ISSUE NOTICE TO YOU AS DEFENDANT HEREIN, REQUIRING YOU TO FILE A STATEMENT, IN WRITING, UNDER OATH OF ALL YOUR ASSETS, AS PROVIDED IN TITLE 7, SECTION 903, ALABAMA CODE 1940, AS AMENDED AND IT APPEARING FROM THE SAID REQUEST AND THE RECORD IN THE SAID CAUSE THAT AN EXECUTION WAS RETURNED ON THE JUDGEMENT IN THIS CAUSE ON THE 3rd DAY OF February 1970, ENDORSED "NO PROPERTY FOUND" BY THE SHERIFF OF BALDWIN COUNTY, AND THAT YOU RESIDE IN THE STATE OF ALABAMA.

Now therefore you the SAID George Wesley Smith, Jr.

ARE HEREBY REQUIRED, WITHIN 30 DAYS FROM THE SERVICE HEREOF, TO

FILE IN THIS COURT A STATEMENT, IN WRITING, UNDER OATH OF ALL

YOUR ASSETS, INCLUDING MONEY, CHOSES IN ACTION, NOTES, BONDS AND

ACCOUNTS, AND ALL OTHER PROPERTY, REAL, PERSONAL, OR MIXED, OR

ANY INTEREST THEREIN WITH A DETAILED DESCRIPTION OF THE SAME, THE

LOCATION AND REASONABLE VALUE OF EACH ITEM THEREOF, TOGETHER WITH

A DETAILED LIST OF STATEMENTS, OR ANY AND ALL LIENS, MORTGAGES

OR ENCUMBRANCES THEREON.

WITNESS MY HAND THIS THE 26th DAY OF March

CLERK

TO ANY SHERIFF OF THE STATE OF ALABAMA:

19 70.

YOU ARE HEREBY COMMANDED TO SERVE THE FOLLOWING NOTICE

UPON THE ABOVE NAMED George Wesley, Smith, Jr. AND MAKE DUE

RETURN OF YOUR SAID SERVICE AND OF THIS NOTICE.

CLERK

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TAYLOR WILKINS, Sheriff
By & Starter

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CASE NO. 8995

BURTON H. SILVERSTEIN, d/b/a AAA ASSIGNMENT SERVICE,

Plaintif

vs:

GEORGE WESLEY SMITH, JR.

Writ for Discovery of Assets

Wilters, Brantley & Nesbit

BURTON H. SILVERSTEIN, d/b/a AAA ASSIGNMENT SERVICE, AS ASSIGNEE OF SOUTH BALDWIN HOSPITAL

IN THE CIRCUIT COURT OF

Plaintiff

BALDWIN COUNTY, ALABAMA

VS.

AT LAW

GEORGE WESLEY SMITH, JR.

ā

Defendant

CASE NO. 8995

REQUEST FOR DISCOVERY OF ASSETS

The Plaintiff herein having recovered on the 8th day of January, 1970, a Judgment against the Defendant in the above styled cause for the sum of ONE THOUSAND ONE HUNDRED TWELVE and 55/100 DOLLARS (\$1,112.55) and costs and such execution having been returned endorsed by the Sheriff of Baldwin County, Alabama, "No property found", the Plaintiff now requests in writing that the Clerk of this Court will issue a notice to the said George Wesley Smith, Jr. requiring him to file in this Honorable Court within thirty days from the service of such notice, a statement in writing under oath, of all the assets of the said George Wesley Smith, Jr. including money, choses in action, notes, bonds and accounts and all other property, real, personal, or mixed or any interest therein with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed 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.

The said George Wesley Smith resides at Loxley, Alabama.

Dated this day of day

WILTERS, BRANFLEY & MESBIT

BY:

Attorney for Plaintiff and

Judgment Creditor

FILD

MAR 2.6 1970

ALIGE J. DIDN CLERK REGISTER

BURTON H. SILVERSTEIN, d/b/a AAA ASSIGNMENT SERVICE, AS ASSIGNEE OF SOUTH BALDWIN HOSPITAL IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

Plaintiff

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AT A AW

VS.

GEORGE WESLEY SMITH, JR.

Ĭ

CASE NO. 8995

Defendant

Under authority of Title 7, 904, of the Code of Alabama of 1940, the Judgment against the above named Defendant now remaining unsatisfied, the Plaintiff files the following affidavit and prays that this Honorable Court shall make an order requiring judgment debtor to appear before this Court on a day to be set by the Court and to submit to an oral examination under oath touching the nature, location, description and value of the assets of said judgment debtor and prays that judgment debtor be required to produce any and all papers, documents or books which may contain material evidence of such assets.

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, Carol S. Stallings, a Notary Public, in and for said State and County, Phyllis S. Nesbit, who being duly sworn says on oath that she is the attorney of record for Burton H. Silverstein, d/b/a AAA Assignment Service, Plaintiff, in the above styled cause, and further states that the best of Affiant's knowledge, information and belief the foregoing statement does not contain a full, true and correct statement and description of such assets as required herein.

Sworn to and subscribed before me, this 16th day of April,

1970.

Notary Public, Baldwin County, Alabams

Attorneys for Plaintiff

1078 6 1970

ALIE J. BEEK REGISTER

BURTON H. SILVERSTEIN, d/b/a i IN THE CIRCUIT COURT OF AAA ASSIGNMENT SERVICE, AS ASSIGNEE OF SOUTH BALDWIN BALDWIN COUNTY, ALABAMA HSOPITAL Plaintiff AT LAW VS. GEORGE WESLEY SMITH, JR. CASE NO. 8995 Defendant ORDER This day came Phyllis S. Nesbit, Attorney of Record for Burton H. Silverstein, d/b/a AAA Assignment Service, the Plaintiff in the above styled cause, and filed her affidavit that to the best of Affiant's knowledge, information and belief the statement of assets heretofore filed by George Wesley Smith, Jr. the above named Defendant and Judgment debtor, is not a full, true and correct statement and description of his assets and the said Judgment in

Considered, ORDERED and ADJUDGED that the said George Wesley
Smith, Jr. be and appear before the Court in his own proper person
at
submit to an oral examination under oath touching the nature, loca-
tion, description and value of such assets; and that the said George
Wesley Smith, Jr. do, at the time and place hereinabove named, pro-
duce and bring with him all papers, documents or books which may
contain material evidence of his assets.

this cause remaining unsatisfied, and now, upon consideration of

the same, it is,

Let a copy of this Order be served forthwith upon the said George Wesley Smith, Jr.

Dated	this	day	of			1970.
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Circuit Judge of Baldwin County, Alabama

BURTON H. SILVERSTEIN, d/b/a | IN THE CIRCUIT COURT OF ASSIGNEE OF SOUTH BALDWIN BALDWIN COUNTY, ALABAMA HSOPITAL Plaintiff 1 AT LAW VS. GEORGE WESLEY SMITH, JR. CASE NO. 8995 Ĭ

Defendant

ORDER

This day came Phyllis S. Neshit, Attorney of Record for Burton H. Silverstein, d/b/a AAA Assignment Service, the Plaintiff in the above styled cause, and filed her affidavit that to the best of Affiant's knowledge, information and belief the statement of assets heretofore filed by George Wesley Smith, Jr. the above named Defendant and Judgment debtor, is not a full, true and correct statement and description of his assets and the said Judgment in this cause remaining unsatisfied, and now, upon consideration of the same, it is,

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Smith, Or.	be and appear h	pefore the Co	mrt in his (own brober be	rson
at t	.M. on th	e c	ay of	, 1970	, to
submit to a	an oral examinat	tion under of	th touching	the nature,	loca-
tion, desci	ription and valu	re of such as	ssets; and th	hat the said	George
Wesley Smit	th, Jr. do, at t	the time and	place herei	cabove named,	, pro-
duce and b	ring with him al	Ll papers, do	ocuments or l	books which s	ay
contain mat	terial evidence	of his asset			
Lei	t a copy of this	s Order be se	erved forthw:	ith upon the	said

George Wesley Smith, Jr.

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Circuit Judge of Baldwin County, Alabama

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ablt, Attorney of Record for	This day came Phyllis S. Hes	
signment Service, the Plaintiff	Parton II. Silverstein, d/b/e had hes	
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Court in his own proper person	Saith, dr. Do and appear before the t	
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Let a copy of this Order be served forthwith upon the said

decayo Menley Soleh, Jr.

BURTON H. SILVERSTEIN, d/b/a AAA ASSIGNMENT SERVICE, AS ASSIGNEE OF SOUTH BALDWIN HOSPITAL

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

Plaintiff

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AT LAW

VS.

GEORGE WESLEY SMITH, JR.

I

CASE NO. 8995

Defendant

Under authority of Title 7, 904, of the Code of Alabama of 1940, the Judgment against the above named Defendant now remaining unsatisfied, the Plaintiff files the following affidavit and prays that this Honorable Court shall make an order requiring judgment debtor to appear before this Court on a day to be set by the Court and to submit to an oral examination under oath touching the nature, location, description and value of the assets of said judgment debtor and prays that judgment debtor be required to produce any and all papers, documents or books which may contain material evidence of such assets.

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, Carol S. Stallings, a Notary Public, in and for said State and County, Phyllis S. Nesbit, who being duly sworn says on oath that she is the attorney of record for Burton H. Silverstein, d/b/a AAA Assignment Service, Plaintiff, in the above styled cause, and further states that the best of Affiant's knowledge, information and belief the foregoing statement does not contain a full, true and correct statement and description of such assets as required herein.

Sworn to and subscribed before me, this 16th day of April,

1970.

Notary Public, Baldwin County, Alabana

Attorneys for Plaintiff

APR 1 0 1970

ALICE J. DEFOY CLERK REGISTER BURTON H. SILVERSTEIN, d/b/a AAA ASSIGNMENT SERVICE, AS ASSIGNEE OF SOUTH BALDWIN HOSPITAL

IN THE CIRCUIT COURT OF

Plaintiff

BALDWIN COUNTY, ALABAMA

VS.

AT LAW

GEORGE WESLEY SMITH, JR.

Defendant

CASE NO. 8995

REQUEST FOR DISCOVERY OF ASSETS

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The Plaintiff herein having recovered on the 8th day of January, 1970, a Judgment against the Defendant in the above styled cause for the sum of ONE THOUSAND ONE HUNDRED TWELVE and 55/100 DOLLARS (\$1,112.55) and costs and such execution having been returned endorsed by the Sheriff of Baldwin County, Alabama, "No property found", the Plaintiff now requests in writing that the Clerk of this Court will issue a notice to the said George Wesley Smith, Jr. requiring him to file in this Honorable Court within thirty days from the service of such notice, a statement in writing under oath, of all the assets of the said George Wesley Smith, Jr. including money, choses in action, notes, bonds and accounts and all other property, real, personal, or mixed or any interest therein with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed 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.

The said George Wesley Smith resides at Loxley, Alabama.

Dated this day of Millel, 1970.

WILTERS, BRANTKEY & NESBIT

BY:

Attorney for Plaintiff and

Judgment Creditor

MAR 26 1970

ALGE J. MITH CLERK REGISTER

8995

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BURTON H. SILVERSTEIN, d/b/a AAA ASSIGNMENT SERVICE, AS ASSIGNEE OF SOUTH BALDWIN HOSPITAL IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

Plaintiff

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Ĭ

VS.

AT LAW

GEORGE WESLEY SMITH, JR.

Defendant

case no. 8995

l.

The Plaintiff claims of the Defendant the sum of SEVEN HUNDRED SIXTY SEVEN and 35/100 DOLLARS (\$767.35) balance due after all proper credits given on a promissory note made by the Defendant on the 19th day of November, 1964 and payable as follows: Payable on Demand. The Plaintiff avers that the Defendant defaulted in the payment of the note and under the provisions of the note sued on, the whole balance became due and payable. The Plaintiff claims interest at the rate of 8% per annum from November 11. 1964. Said promissory note was assigned by the South Baldwin Hospital to the Plaintiff on April 15, 1968. The Plaintiff further avers that the Defendant agreed in the promissory note to pay all expenses including reasonable attorney's fees incurred in collecting the same and the Plaintiff claims a reasonable attorney's fee of \$115.00. The Paintiff avers that the Defendant waived all right of exemptions under the laws of the State of Alabama as to personal property.

WILTERS, BRANTLEY & NESBIT

Attorney for Plaintiff(

NOV 13 1080

Alexander Commencer

Poley, Alabama April 15, 1968

Control of the Contro

For value received, I Marshall Crosby,
Administrator of the South Baldwin
Hospital, do hereby assign and set over
to B. H. Silverstein d/b/a
AAA Assignment Service the account owed
to the South Baldwin Hospital by

George Smith, Jr.

balance of \$ 870,35.

South Baldwin Rospital

Marshall Crosby

Administrator

STATE OF HABBARA COUNTY OF BALdwin

XEBO

Personally appeared before me, the undersigned authority, in and for said County and State, MARSIA (Rosky , who after first being duly sworn deposes and says that he is the Junistication and as such officer he has the supervision and custody of all the records including the accounts. Affiant further says that on the 19 day of December 1964, that George Wesley Smith, IR was indebted to said low \$ \$ 70,35 in the amount of \$ 870,35 Further that this indebtedness is still due and unpaid.

Sworn to and subscribed before me this day of

Notary Public, State at Large My commission expires Aug 5, 1972

STATE OF ALABAMA)	Circuit Court, Baldy	win County
Baldwin County		No	· ·
	• • •		TERM, 19
	TO ANY	SHERIFF OF THE STATE OF	F ALABAMA:
You Are Hereby Commanded to Sum	_{mon} Geo	rge Wesley Smith, Jr.	
	and the second		
	·		
to appear and plead, answer or de		•	
George Wesley Smith,	Jr.		Defendant
Burton H. Silverstein	n, d/b/a	AAA Assignment Servi	ce, as
Assignee of the South	Baldwin	Hospital	
Witness my hand this 13	dav of	Now	19 69
			Such, Clerk

2/11-15-69

No. 59 95 Page	
STATE OF ALABAMA	Defendant lives at
Baldwin County	P. O. Box 221, Loxley, Alabama
CIRCUIT COURT	Received to Office
Burton H. Silverstein,	NO: 13 1969 19
d/b/a AAA Assignment Service	Sheriff
Plaintiffs vs.	I have executed this summons this 15-7100 1969
George Wesley Smith, Jr.	by leaving a copy with
Defendants	Deorge Wesley Smith,
SUMMONS AND COMPLAINT	
Filed	
ALIGE L. DOLL ACONTER	Theriff claims 44 miles 180
	Brown -
WILTERS, BRANTLEY & NESBIT	
BY: Plaintiff's Attorney	Tay low Welkers Sheriff
Defendant's Attorney	Haroure Deputy Sheriff
	West of Loyly

	1:[1	George						po		
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\$	\$ 767.35 Foley, Ala. 11-19-64 19
,	to the order of ARXERS AND MERCHANIS BANK, FULLY, ALA.
*	Seven Hundred Sixty Seven dollars and 35/100 Dollars
-	for value received, with interest at 8 per cent. per annum from date until paid.
	PAYABLE AT FARMERS AND MERCHANTS BANK, FOLEY, ALA.
	The parties to this instrument, whether maker, endorser, surety or guarantor, each for himself, hereby severally agrees to particle and waives as to this debt, or any renewal thereof, all right to exemption under the constitution and laws of Alabama, or an other State, as to personal property and they each severally agree to pay all costs of collecting or securing, or attempting to collect or secure this note, including a reasonable attorney's fee, whether the same be collected or secured by suit or otherwise, and maker endorser, surety or guarantor, of this note severally waives demand, presentment, protest, notice of protest, suit and all other requirements necessary to hold them, and they agree that time of payment may be extended without notice to them of such extension. The Bank at which this note is payable is hereby authorized to apply on or after maturity to the payment of this debt any funds in said bank belonging to the maker, surety, endorser, guarantor, or any one of them.
	+ Alex smill Jr See
No	On Demand Due Monthly Payments EVOL OF PAGE 150

The endorsers of this note agree to pay all cost of collection, including a reasonable attorney's fee, whether costs are incurred by suit against any one or more of the makers or endorsers, or otherwise; and each endorser expressly wrives all right to claim exemptions under the Constitution and Laws of the State of Alabama, or any of these United States, as to this debt should this note not be paid at meturity. Presentment for payment, notice and protest and all steps necessary to bind each endorser hereon on the non-payment of this note are hereby waived by each endorser. Time for payment may be extended without notice. The said Farmers and Morchants Bank, Foley, Ala., is hereby authorized by each surely and endorser hereof to apply on or after maturity to the payment of this debt any funds belonging to any endorser on this note.