

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

Plaintiff

VS.

GEORGE WESLEY SMITH, JR.

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8995

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,

Considered, ORDERED and ADJUDGED that the said George Wesley Smith, Jr. be and appear before the Court in his own proper person at 11:00 A.M. on the 7th 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.

J. J. Madeline
Circuit Judge of Baldwin County, Alabama

FILED

APR 16 1970

ALICE J. DUCK CLERK
REGISTER

128 20

Received 17 day of April 19 70
and on 19 day of April 19 70
I served a copy of the within
on George W. Smith

By service on _____

TAYLOR WILKINS, Sheriff
By H. H. Brown D.S.
44m R T
Went of fordy

Sheriff claims 44 miles at
Ten Cents per mile Total \$ 4.40
TAYLOR WILKINS, Sheriff
BY Brown
DEPUTY SHERIFF

ALICE J. DUCK
CLERK
REGISTER

FILED
APR 16 1970

Nesbitt

No. 8995
Burtow H. Silverstein
US
George Wesley Smith

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

TO: GEORGE WESLEY SMITH, JR.

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, CHOSSES 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, 1970.

CLERK

TO ANY SHERIFF OF THE STATE OF ALABAMA:

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

CASE NO. 8995

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

Plaintiff

vs:

GEORGE WESLEY SMITH, JR.

Writ for Discovery of Assets

Wilters, Brantley & Nesbit

Received 26 day of March 19 70
and on 27 day of March 19 70
I served a copy of the within writ
on Geo. Wesley Smith

By service on _____

TAYLOR WILKINS, Sheriff

By H. H. Brown

D. S.

H. H. Brown, R. T.
Wesley Smith

Sheriff claims 46 miles at
Ten Cents per mile Total \$ 4.60
BY TAYLOR WILKINS, Sheriff
H. H. Brown
DEPUTY SHERIFF

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

Plaintiff

VS.

GEORGE WESLEY SMITH, JR.

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

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 26 day of March, 1970.

WILTERS, BRANTLEY & NESBIT

BY:

Alice J. Duck
Attorney for Plaintiff and
Judgment Creditor

FILED

MAR 26 1970

ALICE J. DUCK

CLERK
REGISTER

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

Plaintiff

VS.

GEORGE WESLEY SMITH, JR.

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8995

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.

Phyllis S. Nesbit

Carol S. Stallings
Notary Public, Baldwin County, Alabama

William Brantley & John
Attorneys for Plaintiff

FILED

APR 16 1970

ALICE J. DICK

CLERK
REGISTER

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

Plaintiff

VS.

GEORGE WESLEY SMITH, JR.

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8995

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,

Considered, ORDERED and ADJUDGED that the said George Wesley
Smith, Jr. be and appear before the Court in his own proper person
at _____ .M. on the _____ day of _____, 1970, to
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.

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

Dated this _____ day of _____, 1970.

Circuit Judge of Baldwin County, Alabama

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

Plaintiff

VS.

GEORGE WESLEY SMITH, JR.

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8995

ORDER

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9/1
9/23
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,

Considered, ORDERED and ADJUDGED that the said George Wesley
Smith, Jr. be and appear before the Court in his own proper person
at _____ .M. on the _____ day of _____, 1970, to
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.

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

Dated this _____ day of _____, 1970.

Circuit Judge of Baldwin County, Alabama

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN LAW

CASE NO. 8992

BURTON E. SILVERSTEIN, et al.
AAA ASSIGNMENT SERVICE, et al.
ASSIGNEES OF SOUTH ALABAMA
HOSPITAL

Plaintiffs

vs.

GEORGE WESLEY SMITH, Jr.

Defendant

ORDER

This day came Phyllis S. Nesbit, Attorney of Record for
Burton E. Silverstein, et al./a AAA Assignment Service, the Plaintiffs
in the above styled cause, and filed her affidavit that to the best
of Plaintiff'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 is
this cause remaining unaffected, and now, upon consideration of
the same, it is,

~~Commanded, ordered and awarded that the said George Wesley~~
Smith, Jr. be and appear before the Court in his own proper person
at _____ M. on the _____ day of _____, 1970, to
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 heretofore named, pro-
duce 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 _____ day of _____, 1970

Circuit Judge of Baldwin County, Alabama

8992

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

Plaintiff

VS.

GEORGE WESLEY SMITH, JR.

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8995

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.

FILED

APR 16 1970

ALICE J. DUCK CLERK
REGISTER

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

Plaintiff

VS.

GEORGE WESLEY SMITH, JR.

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

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 26 day of March, 1970.

WILTERS, BRANTLEY & NESBIT

BY: Thelma S. Nesbit

Attorney for Plaintiff and
Judgment Creditor

FILED

MAR 26 1970

ALICE J. DUCK

CLERK
REGISTER

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8995

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

Plaintiff

VS.

GEORGE WESLEY SMITH, JR.

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8995

1.

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 Plaintiff avers that the Defendant waived all right of exemptions under the laws of the State of Alabama as to personal property.

WILTERS, BRANTLEY & NESBIT

BY: Angelo S. Nesbit

Attorney for Plaintiff

FILED

NOV 13 1968

ALBANY COUNTY CLERK

Foley, Alabama
April 15, 1968

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 Hospital

Marshall Crosby
Marshall Crosby
Administrator

STATE OF Alabama
COUNTY OF Baldwin

Personally appeared before me, the undersigned authority, in and for said County and State, Marshall Crosby, who after first being duly sworn deposes and says that he is the ADMINISTRATOR of the SOUTH BALDWIN HOSPITAL and as such officer he has the supervision and custody of all the records of the said SOUTH BALDWIN HOSPITAL including the accounts. Affiant further says that on the 19 day of December, 1964, that George Wesley Smith, Jr was indebted to said SOUTH BALDWIN HOSPITAL in the amount of \$ 870.35. Further that this indebtedness is still due and unpaid.

Marshall Crosby
Sworn to and subscribed before me this 22 day of October, 1969.

Barbara A. Silver
Notary Public, State at Large
My commission expires Aug. 5, 1972

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No.

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon George Wesley Smith, Jr.

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.....

George Wesley Smith, Jr. Defendant.....

by Burton H. Silverstein, d/b/a AAA Assignment Service, as

Assignee of the South Baldwin Hospital Plaintiff.....

Witness my hand this 13 day of Nov 19 69

Becky Duck Clerk

4/11-15-69

No. 8995

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Burton H. Silverstein,

d/b/a AAA Assignment
Service

Plaintiffs

vs.

George Wesley Smith, Jr.

Defendants

SUMMONS AND COMPLAINT

Filed NOV 13 1969

ALICE L. COOK Clerk
REGISTER

WILTERS, BRANTLEY & NESBIT

BY:

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

P. O. Box 221, Loxley,
Alabama

RECEIVED
Received in Office

NOV 13 1969 19.....

~~WALTER~~ Sheriff

I have executed this summons

this 15 NOV 1969

by leaving a copy with

George Wesley Smith, Jr.

Sheriff claims

Pen Code

BY

Taylor Wilkins Sheriff

H Brown Deputy Sheriff

44 Miles RT
West of Loxley

- Defunct Judgment
Case # 8995
From Waiver Note

\$1767.35

230.20 Int

997.55

115.00 atty fee

\$1112.55

8995

\$ 767.35Foley, Ala. 11-19-64 19

after date, without grace I promise to pay
 to the order of ~~FARMERS AND MERCHANTS BANK, FOLEY, ALA.~~ South Baldwin Hospital

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 pay this note and waives as to this debt, or any renewal thereof, all right to exemption under the constitution and laws of Alabama, or any 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.

On Demand

Due Monthly Payments

EVDL

63 PAGE 129

Seal

Seal

No. _____

The endorser of this note agrees 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 endorser, or otherwise; and each endorser expressly waives 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 maturity. 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 Merchants Bank, Foley, Ala., is hereby authorized by each surety and endorser hereto to apply on or after maturity to the payment of this debt any funds belonging to any endorser on this note.
