

FOREST A. CHRISTIAN  
ATTORNEY AT LAW  
P. O. DRAWER 190  
AREA CODE 205 - PHONE 943-2201  
FOLEY, ALABAMA 36535

January 22, 1970

Hon. Telfair Mashburn  
Bay Minette, Alabama

Re: Moore-Handley, Inc.  
Vs: John Z. Davis, Mrs.  
John Z. Davis, ind.  
& Bay Minette Home &  
Auto, Inc.  
Case No. 9013

Dear Judge Mashburn:

We strike Bay Minette Home & Auto, Inc.  
from case. Kindly render a judgment against  
other parties in this case, on which there  
is principal balance of \$1,468.58, plus \$40.00  
Interest, plus \$225.00 Attorney's fee, for a  
total of \$1,725.00, based on a promissory waive  
note which is attached.

Cordially yours,



FOREST A. CHRISTIAN

Enclosure

\$ 1942.87

June 13, 1969

For value received, I/we promise to pay to the Order of  
Moore-Handley Inc., Birmingham, Alabama

One Thousand Nine Hundred Forty-Two and 87/100-----DOLLARS

Payable as follows: \$408.70 on 6/16/69	\$125.00 on 12/26/69	\$159.17 on
125.00 on 7/25/69	125.00 on 1/25/70	6/25/70
125.00 on 8/25/69	125.00 on 2/25/70	
125.00 on 9/25/69	125.00 on 3/25/70	
125.00 on 10/25/69	125.00 on 4/25/70	
125.00 on 11/25/69	125.00 on 5/25/70	

without offset negotiable and payable at UNITED MERCANTILE AGENCIES, INC.

United Building, Louisville, Kentucky

with interest at six percent per annum from date until paid. Each of us whether principal, surety, guarantor, endorser or other party hereto, hereby severally waives and renounces all homestead or exemption rights; and each further waives presentment for payment, demand, notice of dishonor and notice of demand, protest and non-payment, and agrees that upon the failure to promptly pay this note or any installment when due, that all other installments at the option of the holder become due and payable and in the event of such default I/we agree to pay fifteen percent collection costs on principal and interest. Should the holder of this note grant a further extension of any one or more of said installments, it shall not be considered as a waiver of this agreement nor shall it release us or either of us from the obligation of payment herein. Time is the essence of this contract.

Given under the hand and seal of each party.

Bay Minette Home & Auto Inc. (SEAL)

By: John Z. Davis (SEAL) - Vice-President

By: John Davis (SEAL) - Personally

By: Mrs. John Davis (SEAL) - Personally

N-53

REVOL

63 PAGE 165

SUMMONS

STATE OF ALABAMA, )

COUNTY OF BALDWIN. )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summons JOHN Z. DAVIS, MRS. JOHN Z. DAVIS, individually, and BAY MINETTE HOME & AUTO, INC., 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, Alabama, at the place of holding same by MOORE-HANDLEY, INC.

Witness my hand this the 24 day of November, 1969.

Alice J. Duck  
Clerk

\*\* \*\* \*

COMPLAINT

MOORE-HANDLEY, INC.,	X	
PLAINTIFF,	X	IN THE CIRCUIT COURT OF
VS:	X	BALDWIN COUNTY, ALABAMA
JOHN Z. DAVIS, MRS.	X	AT LAW
JOHN Z. DAVIS, individually	X	9013
and BAY MINETTE HOME & AUTO, INC.,	X	
DEFENDANTS.	X	

The Plaintiff claims of the Defendants ONE THOUSAND FOUR HUNDRED SIXTY-EIGHT & 58/100 DOLLARS (\$1,468.58), due by <sup>waive</sup> promissory/note made by them on the 13th day of June, 1969, and payable on the 1st day of August, 1969, with interest thereon.

Said note provides for a reasonable attorney's fee, which the Plaintiff alleges to be TWO HUNDRED TWENTY & 00/100 DOLLARS (\$220.00). (The note provides for fifteen per cent.)

Forest A. Christian  
Attorney for the Plaintiff

Defendants' addresses:

SUMMONS

STATE OF ALABAMA, )  
COUNTY OF BALDWIN. )

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Alice J. Duck  
Clerk

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COMPLAINT

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PLAINTIFF,	X	IN THE CIRCUIT COURT OF
VS:	X	BALDWIN COUNTY, ALABAMA
JOHN Z. DAVIS, MRS.	X	AT LAW
JOHN Z. DAVIS, individually	X	9013
and BAY MINETTE HOME & AUTO, INC.,	X	
DEFENDANTS.	X	

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Forest A. Christian  
Attorney for the Plaintiff

Defendants' addresses:  
116 North Hoyle Avenue  
Bay Minette, Alabama

NOV 24 1969

EVOL

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ALICE J. DUCK

CLERK  
REGISTER

24/ 12-22-69

Received 24 day of Nov 1969  
and on 22 day of Dec 1969  
I served a copy of the within  
on John Z. Davis & Mrs. John Z. Davis  
By service on Ray W. Bridges  
Taylor Wilkins Sheriff  
By W. C. Pennington D.S.

Returned 23 day of Nov 1969  
Not found in my county after diligent search and it  
being Auto to Bay Minette Home & Auto, Inc.  
By Taylor Wilkins Sheriff  
By Robert Deputy Sheriff

*Davis before*  
*Case 9013 7906*  
SUMMONS AND COMPLAINT

MOORE-HANDLEY, INC.,

PLAINTIFF,

VS:

JOHN Z. DAVIS, MRS. JOHN Z. DAVIS,  
individually and BAY MINETTE HOME  
& AUTO, INC.,

DEFENDANTS.

FILED  
NOV 24 1969  
ALBERT J. DUCK, CLERK  
REGISTER

DISCOVERY OF ASSETS OF JUDGMENT DEBTORS

MOORE-HANDLEY, INC.,	X	
PLAINTIFF,	X	IN THE CIRCUIT COURT OF
VS:	X	BALDWIN COUNTY, ALABAMA
JOHN Z. DAVIS and	X	AT LAW
MRS. JOHN Z. DAVIS,	X	CASE NO. 9013
DEFENDANTS.	X	

TO THE HONORABLE ALICE J. DUCK, CLERK OF CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA:

WHEREAS, in the above entitled cause the Plaintiff recovered a judgment against the said Defendants, JOHN Z. DAVIS and MRS. JOHN Z. DAVIS, on the 22nd day of January, 1970, for the sum of ONE THOUSAND SEVEN HUNDRED & 00/100 DOLLARS (\$1,700.00), besides accrued interest and costs of said cause; and, whereas, execution was issued on said judgment against the Defendants on the 10th day of March, 1970, and thereafter, on the 10th day of March, 1970, 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 Defendant requiring them to file in the Circuit Court of said County, within thirty days from the service of said notice, a statement in writing, under oath, of all the assets of the said Defendants including money, choses in action, bonds and accounts, and all other property, real, personal and 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 all liens, mortgages or incumbrances thereon, showing the amounts due upon each, and the owner or holder of such liens, mortgages or incumbrances.

The said JOHN Z. DAVIS and MRS. JOHN Z. DAVIS can  
be served at 116 North Hoyle Avenue, Bay Minette, Alabama.

Dated this the 21st day of April, 1970.

MOORE-HANDLEY, INC.

BY:

  
Forest A. Christian

Attorney for Plaintiff-Judgment  
Creditor

FILED

APR 22 1970

ALICE J. BUCK CLERK  
REGISTER

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 - PHONE 943-2201

FOLEY, ALABAMA 36535

July 23, 1970

Hon. Telfair Mashburn  
Judge of Circuit Court  
Bay Minette, Alabama

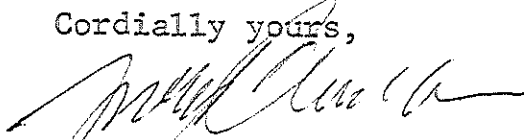
Re: 596170 Moore-Handley Inc.  
Vs: John Z. Davis & Mrs. John  
Z. Davis  
Case No. 9013

Dear Judge Mashburn:

On January 22, 1970, we obtained a judgment in  
above case for more than \$1700, and in April 1970,  
we filed for Discovery of Assets.

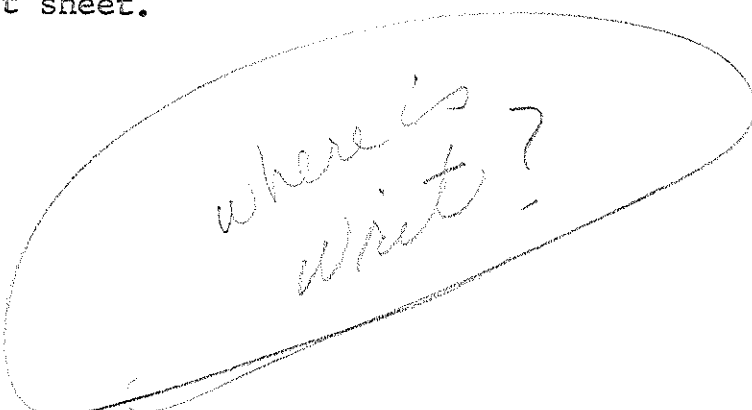
However, more than sixty days have expired and  
Defendants have not responded. Would appreciate it  
if you would issue such order as required under the  
circumstances.

Cordially yours,



FOREST A. CHRISTIAN

Please attach to docket sheet.



where is  
writ?



DISCOVERY NOTICE FOR ASSETS OF JUDGMENT DEBTOR

MOORE-HANDLEY, INC.,                   X  
                    PLAINTIFF,                   X   IN THE CIRCUIT COURT OF  
VS:   X   BALDWIN COUNTY, ALABAMA  
JOHN Z. DAVIS and MRS.               X           AT LAW  
JOHN Z. DAVIS,                       X   CASE NO. 9013  
                    DEFENDANTS.               X

TO: JOHNEZ. DAVIS and MRS. JOHN Z. DAVIS, of 116  
North Hoyle Avenue, Bay Minette, Alabama 36507:

Take Notice, That, Whereas, the MOORE-HANDLEY, INC., the Plaintiff, in the above entitled cause has requested in writing, the undersigned, as Clerk of Court, to issue notice to you as Defendants, Judgment Debtors, in the above entitled cause and in the judgment therein, requiring you to file the statement, in writing, under oath, of all your assets, as provided in the Act of the Legislature of Alabama, approved September 28th, 1915, "To provide for the discovery of Assets of Judgment Debtors, and to facilitate the enforcement of or collection of judgments in Courts of Law and Equity in this State," and has filed said request, in writing, in this cause with the undersigned as Clerk of Court, and it appearing from said request and the record in said cause that an execution was returned on the judgment in this cause on the 10th day of March, 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 Judgment Debtors, JOHN Z. DAVIS and MRS. JOHN Z. DAVIS, are hereby required, within thirty 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

Discovery Notice for Assets of Judgment Debtors-Page Two

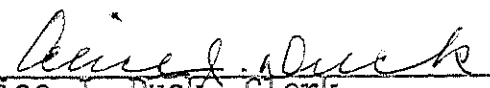
or mixed, or any interest therein, with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed list or statement, of any and all liens, mortgages or incumbrances thereon.

Witness my hand this the 12 day of April, 1970.

  
Alice J. Duck, Clerk

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to serve the foregoing notice upon the above named JOHN Z. DAVIS and MRS. JOHN Z. DAVIS, of 116 North Hoyle Avenue, Bay Minette, Alabama 36507, and make due return of your said service and of this notice.

  
Alice J. Duck, Clerk

Dep No. 9013  
8118  
More Handley Inc

24<sup>th</sup> day 45.  
John Z. Davis  
Mrs. John Z. Davis

EXECUTED  
This 24 day of April, 1970  
by serving a copy of the within on  
John Z. Davis  
RAY D. BRIDGES, Sheriff  
By W. Aspinwall D.S.

EXECUTED  
This 24 day of April, 1970  
by serving a copy of the within on  
Mrs. John Z. Davis  
RAY D. BRIDGES, Sheriff  
By W. Aspinwall D.S.

Discovery of Assets

FILED

APR 22 1970

ALICE J. DUCK CLERK  
REGISTER

2 a - Sullivan

TAYLOR WILKINS  
SHERIFF

APR 22 1970

RECEIVED

RICHARD C. LACEY  
*Attorney-At-Law*  
FAIRHOPE, ALABAMA 36532

November 25, 1969

Mrs. Alice J. Duck  
Circuit Court  
Bay Minette, Alabama

RE: Pearson Bros. Spl. Co., Inc.  
vs. Buzzy Hammond 9015  
vs. George Horton 9017  
vs. Lorene Owens 9014  
vs. W. F. Walker 9016  
vs. Henry Dixon 9018

Dear Mrs. Duck:

Please place the enclosed summons and complaints before  
the sheriff for service, Thank you.

Sincerely,  
*Richard C. Lacey*  
RICHARD C. LACEY  
(H)

RCL/dt  
encls.