

STATE OF ALABAMA )  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon CHARLES BENTLEY MOTORS, INC., d/b/a FOLEY AUTO SALES, So. McKenzie Street, Foley, Alabama, to appear within thrity days after the service of this summons in the Circuit Court to be held for said County, then and there to demur or plead to the complaint of Percey L. Beech.

Witness my hand this 19 day of July 1971.

Eunice B. Blackmon  
Clerk

\* \* \* \* \*

PERCY L. BEECH,

Plaintiff

vs.

CHARLES BENTLEY MOTORS, INC., )

d/b/a FOLEY AUTO SALES, )

Defendant )

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 9927

COMPLAINT

Plaintiff, Percy L. Beech, claims of the Defendant, Charles Bentley Motors, Inc., d/b/a Foley Auto Sales, Three thousand five hundred and forty-three and 75/100ths Dollars(\$3,543.75), due for work and labor done by the Plaintiff for the Defendant at the Defendant's request, on consecutive Thursdays, beginning on or about, to-wit: January 8, 1970, and ending on or about, to-wit: May 6, 1971.

Daniel E. Robison

Daniel E. Robison  
Attorney for Plaintiff

**FILED**

JUL 19 1971

EUNICE B. BLACKMON CIRCUIT CLERK

9927

Percy L. Beech

vs.

Charles Bentley Motors  
One \* 4161a Tolley  
Auto Sales

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\*  
\*  
\*  
\*  
\*

FILED

JUL 19 1971

EUNICE B. BLACKMON CIRCUIT CLERK

Daniel E. Robinson

Shoriff clerk  
Ten \* miles at  
Ten \* miles Total \$ 72  
JAMES WILLIAMS, Sheriff  
BY *[Signature]* DEPUTY SHERIFF

Received 20 day of July 19 71  
and on 22 day of July 1971  
I served a copy of the within SDC  
on Charles Bentley Motors

By service on *[Signature]* - Doc -

JAMES WILLIAMS, Sheriff  
BY *[Signature]* DEPUTY SHERIFF

## GARNISHMENT ON SUMMONS

Printed by The Baldwin Times

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama—Greeting:

Whereas, Percy L. Beech

has commenced suit by Summons and Complaint returnable to the next term of the Circuit Court  
of said County, against Charles Bently Motors, Inc., d/b/a Foley Auto  
Sales

for the sum of \$3,543.75 Dollars and whereas, the saidPercy L. Beech

has entered into bond, and made affidavit by law that the said Charles Bently Motors,  
Inc., d/b/a Foley Auto Sales

is indebted to him in the sum of \$3,543.75

Dollars, and that process of garnishment is believed to be necessary to obtain satisfaction of such  
judgment as may be recovered by Plaintiff, and that Farmers & Merchants Bank,  
Foley, Alabama

\_\_\_\_\_ is believed to be chargeable as garnishee in the cause.

YOU ARE THEREFORE, commanded to summon the said Farmers & Merchants  
Bank, Foley, Alabama

\_\_\_\_\_ to be and appear at the \_\_\_\_\_ term of the Circuit Court, to  
be holden for the County of Baldwin, on \_\_\_\_\_, 19\_\_\_\_  
then and there to answer, upon oath, whether, at the time of the service of this garnishment, or at  
the time of making your answer, or at any time intervening between the time of serving the gar-  
nishment and making the answer, you were indebted to the defendant, and whether, you will  
not be indebted to him in the future by a contract then existing, and whether by a contract then  
existing, you are liable to him for the delivery of personal property, or for the payment of money  
which may be discharged by the delivery of personal property, or which is payable in personal pro-  
perty, and whether you have not in your possession or under your control money or effects be-  
longing to the defendant.

Witness my hand this 28 day of Sept, 1921Ernie B. Blackman  
Clerk.

Received 28 day of Sept. 1971  
and on 29 day of Sept. 1971  
I served a copy of the within writ  
on Farmers & Merchants Bank  
By service of Frank Sanders Sra.

TAYLOR WILKINS, Sheriff  
By Frank Sanders Sra.

Sheriff claims 77 miles at  
Ten Cents per mile Total \$ 7.70  
TAYLOR WILKINS, Sheriff  
BY Frank Sanders  
COUNTY SHERIFF

No. 9927  
Circuit Court of Baldwin County

Percy L. Beech

VS.  
Garnishment On Summons

Charles Bentley Motors  
Inc. d/b/a.  
Foley Auto Sales

Issued \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Farmers & Merchants Bank  
Foley, Ala

SEP 28 1971

TAYLOR WILKINS  
SHERIFF

Daniel Robison  
Plaintiff's Attorney

PERCY L. BEECH,

Plaintiff,

vs.

CHARLES BENTLEY MOTORS, INC.,  
d/b/a FOLEY AUTO SALES,

Defendant

IN THE CIRCUIT COURT

OF BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9927

PLEA

Comes now the Defendant, Charles Bentley Motors, Inc., d/b/a Foley Auto Sales, and for answer to Plaintiff's Complaint, says that all allegations contained therein are untrue and the Defendant denies that it owes the Plaintiff any money for work and labor and demands strict proof thereof.

CHASON AND UNDERWOOD

By

*Thomas W. Underwood Jr.*  
For the Firm

Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 07  
day of Sept, 1971, served a  
copy of the foregoing pleading on counsel for all  
parties to this proceeding by mailing the same  
by United States mail, properly addressed, and  
first class postage prepaid.

*Thomas W. Underwood Jr.*

**FILED**

SEP 9 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

9927 N.I. 6866

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Handwritten notes in the bottom right section of the page.

PERCY L. BEECH,

Plaintiff,

vs.

CHARLES BENTLEY MOTORS, INC.,  
d/b/a FOLEY AUTO SALES,

Defendant.

) IN THE CIRCUIT COURT OF  
)  
) BALDWIN COUNTY, ALABAMA  
)  
)  
)

AT LAW

) NO. 9927  
)

DEMURRER

Now comes the Defendant, Charles Bentley Motors, Inc., d/b/a Foley Auto Sales, and demurs to the Complaint heretofore filed by the Plaintiff, Percy L. Beech, and as grounds for such demurrer assigns separately and severally the following:

1. That the Bill of Complaint fails to state a cause of action.
2. That the Bill of Complaint fails to state the type and nature of work and labor done by the Plaintiff for the Defendant.

*Thomas W. Underwood Jr.*

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 18<sup>th</sup>  
day of August, 1971, served a  
copy of the foregoing pleading on counsel for all  
parties to this proceeding by mailing the same  
by United States mail, properly addressed, and  
first class postage prepaid.

*Thomas W. Underwood Jr.*

**FILED**

AUG 19 1971

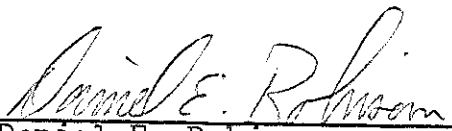
EUNICE B. BLACKMON CIRCUIT  
CLERK

PERCY L. BEECH,	)	
Plaintiff	)	IN THE CIRCUIT COURT OF
v.	)	BALDWIN COUNTY, ALABAMA
CHARLES BENTLEY MOTORS, INC.	)	AT LAW
d/b/a/ FOLEY AUTO SALES,	)	No. 9927
Defendant	)	

MOTION FOR PRODUCTION OF  
DOCUMENTARY EVIDENCE

Now comes the Plaintiff in the above styled cause and moves the Court to compel, by order, the Defendant to produce at the trial of the above cause, which is set for trial on the 14th day of March, 1972, the following papers or documents in its possession or power, which are necessary and material to the trial of said cause and contain evidence pertinent to the issues of said trial to-wit:

All journals and ledgers and payroll sheets used by the Defendant, during the period from November, 1970, through July 1, 1971, to record and reflect the names of the employees, the days worked, their hours, pay received and deductions.

  
Daniel E. Robison  
Attorney for Plaintiff

STATE OF ALABAMA    )  
BALDWIN COUNTY     )

Before me, the undersigned authority, in and for said State and County, personally appeared Daniel E. Robison, who being by me first duly sworn, on oath deposes and says that he is attorney for the plaintiff in the above styled cause, and as such has knowledge of the facts set out in the foregoing motion; and that the books, papers or documents therein described contain evidence pertinent to the issues in this cause and they are necessary and material to the proper disposition of this cause.





Sworn to and subscribed before me this 6<sup>th</sup> day of March, 1972.

Era Mae Bullock  
Notary Public

Era Mae Bullock  
Notary Public  
Baldwin County, Alabama  
My Commission Expires Jan. 5, 1975

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 6<sup>th</sup> day of March, 1972, served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States mail, properly addressed, and first class postage prepaid.

Samuel E. Robinson  
Era Mae Bullock

Era Mae Bullock  
Notary Public  
Baldwin County, Alabama  
My Commission Expires Jan. 5, 1975

**FILED**

MAR 7 1972

EUNICE B. BLACKWON CIRCUIT  
CLERK

PERCY L. BEECH,	)	
Plaintiff	)	IN THE CIRCUIT COURT OF
v.	)	BALDWIN COUNTY, ALABAMA
CHARLES BENTLEY MOTORS, INC.	)	AT LAW
d/b/a/ FOLEY AUTO SALES,	)	No. 9927
Defendant	)	

ORDER

The Plaintiff having come before this Court and requested that the Defendant produce certain documents, and this Court having considered the petition of the Plaintiff, it is hereby

ORDERED, ADJUDGED and DECREED that the Defendant, at the trial of this cause on March 14, 1972, produce all journals, and ledgers and payroll sheets used by the Defendant, during the period from November, 1970, through July 1, 1971, to record and reflect the names of the employees, the days worked, their house, pay received and deductions.

*Done this 8th day of March, 1972.*

*J. A. Massey*  
Judge, Circuit Court

**FILED**  
MAR 8 1972  
EUNICE B. BLACKMON CLERK

PERCY L. BEECH,	)	
Plaintiff	)	IN THE CIRCUIT COURT OF
v.	)	BALDWIN COUNTY, ALABAMA
CHARLES BENTLEY MOTORS, INC.	)	AT LAW
d/b/a/ FOLEY AUTO SALES,	)	No. 9927
Defendant	)	

ORDER

The Plaintiff having come before this Court and requested that the Defendant produce certain documents, and this Court having considered the petition of the Plaintiff, it is hereby

ORDERED, ADJUDGED and DECREED that the Defendant, at the trial of this cause on March 14, 1972, produce all journals, and ledgers and payroll sheets used by the Defendant, during the period from November, 1970, through July 1, 1971, to record and reflect the names of the employees, the days worked, their house, pay received and deductions.

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Judge, Circuit Court

PERCY L. BEECH, )  
Plaintiff ) IN THE CIRCUIT COURT OF  
vs. ) BALDWIN COUNTY, ALABAMA  
CHARLES BENTLY MOTORS, INC. ) AT LAW  
d/b/a FOLEY AUTO SALES ) CASE NO. 9927  
Defendant )

BOND FOR GARNISHMENT

State of Alabama

Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That I, Percy L. Beech and Fidelity & Deposit Co. of Md., as Plaintiff and sureties, are held and firmly bound unto Charles Bently Motors, Defendant, in the sum twice the amount of Three Thousand, Five Hundred and Forty-three Dollars and 75/100ths (\$3,543.75), for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns, and we hereby expressly waive our respective exemptions to personal property for the payment of the bond.

Sealed under our hands and seals, and dated this 28 day of September, 1971.

The conditions of the above is such that, whereas, Percy L. Beech has commenced suit in the Circuit Court of Baldwin County, by Summons and Complaint returnable to the next term of said Court, to recover of said Charles Bently Motors, the sum of Three Thousand Five Hundred and Forty-three Dollars and 75/100ths (\$3,543.75), and has, on the day of the date hereof prayed that the Writ of Garnishment issued to Farmers & Merchants, Foley, Alabama, to answer on oath whether at the time of service of the said Writ of Garnishment or at the time of making its answer it has in its possession or under its control any money or effects belonging to the Defendant, Charles Bently Motors, and whether it is indebted to said Defendant, or is liable to it on any contract for the payment of money or the

delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and said plaintiff having made affidavit as required by law in such cases and by entering into this bond, has obtained the same, returnable to the next term of Circuit Court of Baldwin County, Alabama.

Now, if the said Plaintiff shall prosecute the garnishment to effect, and pay the Defendant all such costs and damages as it may sustain by reason of the wrongful or vexatious suing out of this garnishment, then this obligation to be void, otherwise to remain in full force and effect.

  
Percy L. Beech  
Percy L. Beech

Fidelity + Deposit Co. of Md.  
William L. Ladd  
Atty in fact.

Approved this 28 day of Sept., 1971.

Eunice B. Blackmon  
Clerk of the Circuit Court  
Baldwin County, Alabama

FILED

SEP 28 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

99279

State of Alabama )

Baldwin County )

AFFIDAVIT FOR GARNISHMENT

Before me, Daniel E. Robinson, a Notary Public for the State of Alabama at Large, personally appeared Percy L. Beech, who, being duly sworn, deposes and says that Defendant, Charles Bently Motors, Inc., d/b/a/ Foley Auto Sales, is indebted to Percy L. Beech, Plaintiff, in the sum of Three Thousand, Five Hundred and Forty-three Dollars and 75/100ths (\$3,543.75), for which Plaintiff has commenced suit by summons and complaint filed in the Circuit Court of Baldwin County, Alabama, on the 19th day of July, 1971, against the Defendant, and that the Plaintiff, as stated, believes that to obtain satisfaction of said indebtedness it is necessary that process of garnishment be issued and legally served against the said Garnishee and that the said Garnishee, viz: Farmers & Merchants Bank, Foley, Alabama, is supposed to be indebted to the said Defendant or has effects of said Defendant in its possession or under its control.

Percy L. Beech  
Percy L. Beech

Sworn to and subscribed before me this 28 day of SEPTEMBER, 1971.

Daniel E. Robinson  
Notary Public

FILED

SEP 28 1971

EUNICE B. BLACKMON CIRCUIT CLERK

STATE OF ALABAMA

Baldwin County

TO Charles Bently Motors, Inc., Defendant:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..

Percy L. Beech, Plaintiff,

versus Charles Bently Motors, Inc. d/b/a/ Foley Auto Sales Defendant,

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which .....

Farmers &amp; Merchants Bank, Foley, Alabama .....

has been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the .....

.....day of ....., 19.....

.....  
Clerk of the Circuit Court.

PERCY L. BEECH,

PLAINTIFF,

VS.

CHARLES BENTLEY MOTORS, INC.,  
d/b/a FOLEY AUTO SALES,

DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9927

Comes now FARMERS & MERCHANTS BANK, Foley, Alabama, as the garnishee in the above styled cause and by and through its President, FRANK SANDERS, files this answer to the writ of garnishment heretofore filed in this cause, and for answers says as follows:

That Frank Sanders is the duly authorized agent of the FARMERS & MERCHANTS BANK to answer said writ of garnishment, and for answer thereto says that at the time said writ of garnishment was served the said CHARLES BENTLEY MOTORS, INC., d/b/a FOLEY AUTO SALES had money on deposit in a checking account in the FARMERS & MERCHANTS BANK.

*Frank Sanders*  
Frank Sanders

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, for this State and County, personally appear Frank Sanders, President of the FARMERS & MERCHANTS BANK, Foley, Alabama, who first being duly sworn, deposes and says on oath; that he has read the foregoing; that he has personal knowledge of the averments therein and that the same are true and correct.

*Frank Sanders*  
Frank Sanders

Sworn to and subscribed before me on this 1<sup>st</sup> day of

November, 1971.

FILED

*Thomas W. Anderson*  
Notary Public, Baldwin County  
State of Alabama

(Affix Seal)

NOV 3 1971

EUNICE B. BLACKMON CIRCUIT CLERK



CECIL G. CHASON

*Attorney at Law*

THOMAS W. UNDERWOOD, JR.  
ASSOCIATE

November 1, 1971

P. O. DRAWER 458  
216 W. LAUREL AVENUE  
FOLEY, ALABAMA 36535  
PHONE 205/943-3171

*Copy to:  
Dan Robison*

Mrs. Eunice B. Blackmon  
Clerk of the Circuit Court  
Baldwin County Courthouse  
Bay Minette, Alabama

Re: Percy L. Beech vs. Charles  
Bentley Motors, Inc.  
Case Number 9927

Dear Mrs. Blackmon:

I am enclosing the Farmers & Merchants Bank's answer to the writ of garnishment in the above styled cause. I am sending a copy of this answer to Daniel Robison, the attorney for the plaintiff.

Yours very truly,



Thomas W. Underwood, Jr.

TWU,Jr./jc  
Enc.  
cc: Mr. Daniel Robison

STATE OF ALABAMA

Baldwin County

TO Charles Bently Motors, Inc., Defendant:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..

Percy L. Beech, Plaintiff,

versus Charles Bently Motors, Inc., d/b/a, Foley Auto Sales Defendant,

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which .....

Farmers &amp; Merchants Bank, Foley, Alabama .....

has been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the .....

28 day of Sept, 1971

Ernie B. Bluckner  
Clerk of the Circuit Court.

9927

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

Charles Bentley Motors

Larry L. Beech  
Plaintiff.....

VS.

Charles Bentley Motors  
Inc.

SEP 28 1971

TAYLOR SHERIFF vs. Defendant.....

Daniel Perkins

Received 28 day of Sept. 1971

and on 29 day of Sept 71

I served copy of the with

on Charles Bentley Motors

By service on Charles Colbeck

Sheriff claims 72 miles at

Ten Cents per mile Total \$ 7.20

TAYLOR WILKINS, Sheriff

by Daniel Perkins  
DEPUTY SHERIFF

TAYLOR WILKINS, S

BY Daniel Perkins