

R. C. MACON, individually and)
doing business as FAIRHOPE FINANCE)
COMPANY,)

Plaintiff,)

vs.)

GLADYS POWELL,)

Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

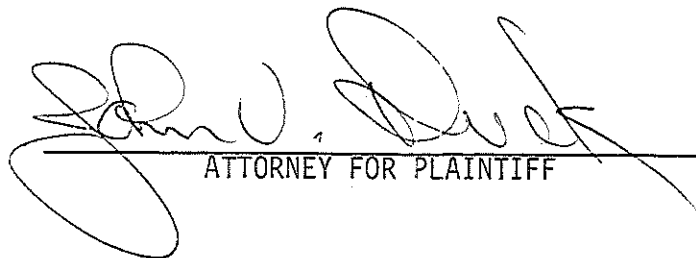
10,088

COUNT ONE

Plaintiff claims of the Defendant the sum of TWO HUNDRED FORTY-FIVE AND 82/100 (\$245.82) DOLLARS due by promissory note made by the Defendant on the 1st day of April, 1971, and payable in monthly installments of EIGHTEEN (\$18.00) DOLLARS each.

That in and by the terms of said note, the Defendant agreed that if default occurred, that the entire balance would be due and payable, and Plaintiff now avers that a default was made on the 25th day of July, 1971, and now demands the entire balance.

Plaintiff claims the further and additional sum of FIFTY (\$50.00) DOLLARS as a reasonable attorneys fee in accordance with the terms and conditions of said note.


ATTORNEY FOR PLAINTIFF

FILED

OCT 26 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 10,088

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon GLADYS POWELL

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.....

.....GLADYS POWELL..... Defendant.....

by R. C. MACON, ind. & dba FAIRHOPE FINANCE COMPANY

....., Plaintiff.....

Witness my hand this 26 day of Oct. 1971

Ernie B. Blackman Clerk

No. 10,088

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

R. C. MACON, ind. and dba

FAIRHOPE FINANCE COMPANY

Plaintiffs

vs.

GLADYS POWELL

Defendants

SUMMONS AND COMPLAINT

Filed 10-26 1971

Ernie B. Blakely Clerk

OCT 27 1971

JAY L. WILKINS
SHERIFF

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at
Rt. 1, Box 228, Loxley, Alabama
or drives a school bus in Fairhope,
Ala.....

Received In Office

Oct 27 1971

Sheriff

I have executed this summons

this 11-4 1971

by leaving a copy with

Gladys Powell

Sheriff claims 32 miles at

Ten Cents per mile Total \$ 3.20

TAYLOR WILKINS, Sheriff

BY JOHN V. DUCK

Taylor Wilkins Sheriff

H. B. Jones Deputy Sheriff

Moore Printing Co. - Bay Minette, Ala.

52 mi R.T.
Rosent

NOTE

Account No. _____

EXACT COPY OF THE ORIGINAL

LOAN NO. 3779Date 3/1/71

For value received, I/we jointly and severally promise to pay to the order of

FAIRHOPE FINANCE COMPANY
390 Fairhope Avenue, Fairhope, Alabama

the sum of Three Hundred Twenty Four and no/100 DOLLARS (\$ 324.00)
 Total Indebtedness

in 18 semi-monthly
 monthly installments of \$ 18.00 each, the first installment due 4/1/71
 and the final installment due 9/1/72

Maturity Date

The makers, co-makers, endorser, sureties, or guarantors of this note severally waive demand, presentment, protest, notice of protest, suit and all other requirements necessary to hold them and expressly waive as to this debt, all rights to claim exemptions under the constitution and laws of the State of Alabama or any other state in the United States; and they agree that the time of payment may be extended without notice to them of such extension. I/we agree to pay all reasonable attorney's fees and court costs incurred in the collection of this note.

I/we agree to pay an additional charge of 3% of any installment past due 15 or more days, whether by reason of default or extension agreement. Interest on this note shall accrue from the due date of the final installment hereunder to six months thereafter at the same rate as the original loan but only at 8% per annum after the final installment becomes six months delinquent.

We are over the age of 21 years, and for the purpose of securing said indebtedness, the undersigned, severally and jointly, grants, bargains, sells and conveys to the said payee, the following personal property:

Mrs. Gladys Powell

Name of Borrower

Loxley, Ala.

Address of Borrower

Amount of Advance \$ 248.80Interest @ % \$ 75.20Insurance \$ 3.65Filing \$ 0P.C. Macon

Name of Person Making Loan

STATE OF ALABAMA, _____ COUNTY.

in said State, hereby certify that _____ whose name _____ signed to the foregoing mortgage, and who _____ known to me, acknowledged before me on this day that, being informed of the contents of this mortgage, _____ executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this _____ day of _____, 196____. _____, Notary Public

Witness our hands and seals this date

X Mrs. Gladys Powell (Seal)

Signature of Borrower

Address of Borrower

 Endorser (Seal)

Address of Endorser

JOHN V. DUCK
Attorney at Law
P. O. DRAWER Y - FAIRHOPE, ALABAMA

M E S S A G E

R E P L Y

TO Mrs. Eunice Blackmon

Bay Minette, Ala.

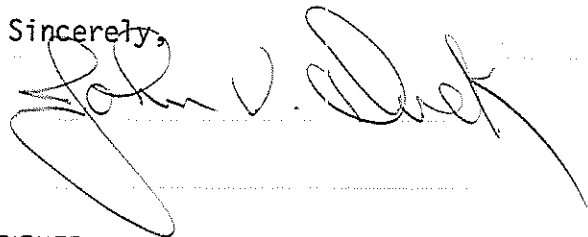
DATE

DATE March 8, 1972 Re: Macon vs. Gladys Powell
Civil No. 10,088

Dear Mrs. Blackmon:

I enclose an exact duplicate of the note executed by Mrs. Gladys Powell in the above entitled cause. Would you ask Judge Mashburn to please enter me a default judgment in the amount of \$245.82, plus \$50.00 attorneys fees, for a total of \$295.82 plus costs.

Sincerely,



SIGNED

SIGNED

THE STATE OF ALABAMA
Baldwin County

10,088 1/2
Circuit Court

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State
aforesaid JOHN V. DUCK, Attorney for Plaintiff

who being duly sworn, on oath says, that a regular March Term

of the Circuit Court of Baldwin County, to-wit: on the 10th day of March

1972 R. C. MACON, IND. and d/b/a FAIRHOPE FINANCE CO.

recovered a judgment against GLADYS POWELL

for the sum of
TWO HUNDRED NINETY-FIVE and 82/100 (\$295.82) Dollars

besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

BALDWIN COUNTY BOARD OF EDUCATION, BAY MINETTE, ALABAMA

supposed to be indebted to or have effects of the said GLADYS POWELL

in ITS possession, or under ITS Control, and that he believes process of

Garnishment against said GLADYS POWELL

is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 2nd

day of Oct A. D. 1973

Carrie B. Blackburn
Clerk.

JOHN V. DUCK

MEMO-LETTER

JOHN V. DUCK
Attorney at Law
P. O. DRAWER Y-FAIRHOPE, ALABAMA 36532
928-2191

MESSAGE

REPLY

TO

Mrs. Eunice Blackmon

P. O. 239

Bay Minette, Ala. 36507

DATE

Oct. 2, 1973

Case No. 10,088

Please find Garnishment papers to be
filed in the above case. Please file
for us.

Thank you.

NOTE: Please send us some of the foll.
forms: Garnishment on Judgment, &
Affidavit (?) form.

SIGNED

JoAnne 

SIGNED

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19.....

To any Sheriff of the State of Alabama, Greetings:

WHEREAS, at a regular..... Spring..... Term, 19⁷²..... of the Circuit Court of Baldwin County, to-wit: On the 10th day of March..... 19⁷² being a regular day of said term, R. C. MACON Ind. & d/b/a FAIRHOPE FINANCE CO.

recovered judgment against..... GLADYS POWELL

for the sum of two hundred ninety-five & 82/100 (\$295.82) Dollars, and cost of suit, and affidavit having been made by John V. Duck, Atty for Plaintiff that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, viz:

Baldwin County Board of Education

has or believed to have in ~~their~~ its possession, or under its control money or effects belonging to said defendant GLADYS POWELL or that it is, or is believed to be indebted to said defendant or to be liable to them, or to one of them on a contract for the delivery of personal property, 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.

You Are Therefore Hereby Commanded to Summon

Baldwin County Board of Education

to file an answer in duplicate to the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minette, within 30 days from the service of the garnishment, or at the making its answer, or at any time intervening the time of serving the garnishment, and making the answer it was indebted to said defendant GLADYS POWELL and whether it will not be indebted in future to said defendant GLADYS POWELL by a contract then existing, and whether by a contract then existing it is, or are, liable to said defendants 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 property and whether it has not in its possession or under its control money or effects belonging to the defendant..... GLADYS POWELL

Herein fail not, and have you then and there this Writ.

Witness, Eunice B. Blackmon, Clerk of said Court, this 3rd day of Oct., A. D., 19⁷²

Issued 3rd day of Oct., A. D., 19⁷²

ATTEST:

Eunice B. Blackmon Clerk

CIRCUIT COURT, BALDWIN COUNTY

No. Case #10,088½

R. C. MACON IND & d/b/a FAIRHOPE FINANCE CO.

VS. } GARNISHMENT ON JUDGMENT

VS :

GLAYDS POWELL

Issued _____ day of _____ 19__

Returnable _____ day of _____ 19__

Attorney

Moore Printing Co. — Bay Minette, Ala

RECEIVED

OCT 4 1973

By _____
Ten Cents per mile Total \$
TAYLOR WILKINSON
BY _____
DEPUTY SHERIFF

Received 4 day of Oct 1973
and on 9 day of Oct 1973

I served a copy of the within _____
on ~~Baldwin County Sheriff~~ Writ
Baldwin County Board of Ed
By service on Anne Knight

TAYLOR WILKINSON
By (Signature)

STATE OF ALABAMA

Baldwin County

TO GLADYS POWELL, Defendant.....:


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

R. C. MACON, IND. and d/b/a FAIRHOPE FINANCE CO., Plaintiff.....versus GLADYS POWELL, Defendant.....

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

BALDWIN COUNTY BOARD OF EDUCATION, BAY MINETTE, ALABAMAhas ^S been named as Garnishee.....

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

3rd day of Oct., 1923
Clerk of the Circuit Court.

B-74
18

Case #10,088 1/2

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

R. C. MACON IND & d/b/a FAIRHOPE
FINANCE CO.

Plaintiff....

VS.

GLAYDS POWERL

Defendant....

Received 4 day of Oct 1973
and on 1 day of 2 1974
I served a copy of the within Notice
on Glady Powerl
By service on Glady Powerl
TAYLOR WILKINS, Clerk
By Glady Powerl

BY Glady Powerl
TAYLOR WILKINS, Clerk
Ten Cents per mile Total \$ 8.00
80

RECEIVED
OCT 4 1973

MEMBERS OF BOARD

E. DAVIDSON, President
Bay Minette, Alabama
PAUL L. CLEVERDON, V-Pres.
Summerdale, Alabama
W. MAX GRIFFIN
Foley, Alabama
JOHN M. McMILLAN
Stockton, Alabama
DR. O. O. JONES, JR.
Fairhope, Alabama

BOARD OF EDUCATION
BALDWIN COUNTY
Bay Minette, Alabama
36507

W. CANDLER MCGOWAN
Superintendent
Bay Minette, Alabama
LOUISE B. HOLLINGER
Custodian
Bay Minette, Alabama


October 10, 1973

Mrs. Eunice Blackmon
Clerk of the Circuit Court
Baldwin County
Bay Minette, Alabama 36507

Dear Mrs. Blackmon:

This is to acknowledge receipt of garnishment number 10,088½
on Gladys Powell. The first deduction on this garnishment will be
made on October 31, 1973.

Yours truly,


W. Candler McGowan
Superintendent

WCMcG/mld

FILED

OCT 11 1973

EUNICE B. BLACKMON CIRCUIT
CLERK