

L. IRWIN & SON, INC.,
a corporation,

PLAINTIFF,

VS.

RAYMOND EICHER,

DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE

CASE NO. _____


AFFIDAVIT FOR ATTACHMENT

Before me, the undersigned authority, personally appeared FRANCIS IRWIN as President of L. IRWIN & SON, INC., a corporation, who being by me first duly sworn, on oath deposes and says that he is the President of L. IRWIN & SON, INC., a corporation, with its principal place of business in Foley, Alabama, and that RAYMOND EICHER is justly indebted to said corporation in the sum of Five Thousand, Seven Hundred Twenty-seven and 08/100 Dollars (\$5,727.08), plus interest thereon, and said amount is justly due and unpaid, and that RAYMOND EICHER is a non-resident of the State of Alabama, and whose last known address was c/o Robert Eicher, 1600 Dawn Avenue, Merced, California 95340, but that BALDWIN OIL MILLS, INC., with its principal place of business in Foley, Alabama, is justly indebted to the said RAYMOND EICHER in an amount in excess of the debt owed by RAYMOND EICHER to L. IRWIN & SON, INC., representing the proceeds of the sale of 1919 bushels of soy beans, and that the Plaintiff will probably lose its debt and will have to sue in another State, and that the attachment is not sued out for the purpose of vexing or harassing the defendant.

Witness my hand and seal this the 19th day of October, 1972.


FRANCIS IRWIN

Sworn to and subscribed
before me on this the 19th day
of October, 1972.


Notary Public, Baldwin County
State of Alabama

FILED

OCT 19 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
LAW SIDE

LAW SIDE

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CASE NO. 10,665

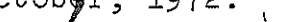
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of October, 1972.


Sheriff

VOL 71 PAGE 853

Eq 10-20-73

RECEIVED

OCT 19 1972

TAYLOR WILKINS
SHERIFF

Received 19 day of Oct 1972
And on 20 day of Oct 1972
I served a copy of the within Writ of Habeas
on Baldwin Oil Mills
By service of Ed Davis Pres

TAYLOR WILKINS, Sheriff
By [Signature] D. S.

Penalty 75
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
By [Signature]

L. IRWIN & SON, INC.,)	
A Corporation,)	IN THE CIRCUIT COURT OF
)	
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	
)	AT LAW. NO. 10,665
RAYMOND EICHER,)	
)	
Defendant,)	
)	
BALDWIN OIL MILLS, INC.,)	
A Corporation,)	
)	
Garnishee.)	

Now come JAMES LIPSCOMB and FREDDIE LIPSCOMB, and show unto this Honorable Court as follows:

1. That James Lipscomb and Freddie Lipscomb are both over the age of twenty-one years and residents of Baldwin County, Alabama.

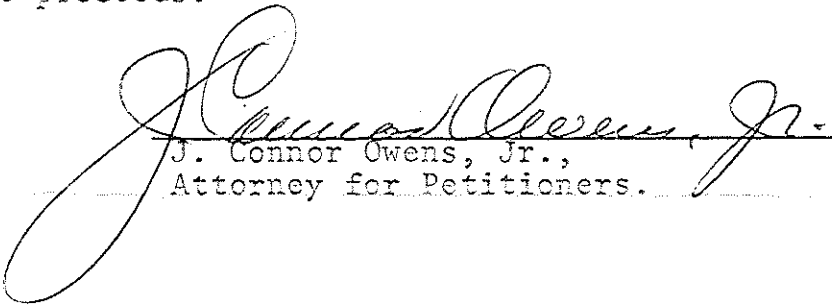
2. That at the request of Raymond Eicher, the Defendant herein, your Petitioners herein performed work and labor in and about 114 acres of soy beans grown by the said Raymond Eicher; that said work and labor consisted of the caring for, combining and delivery of soy beans to the Baldwin Oil Mills, Inc., on the 10th, 12th and 14th of October, 1972, for which services the said Raymond Eicher is indebted to your Petitioners in the sum of \$1,026.00.

3. Petitioners further allege that the said crops for which said sums are due them for labor and services rendered, are the subject of the suit in garnishment filed in this cause and that a writ of attachment has been issued by this Court at the instance of the Plaintiff;

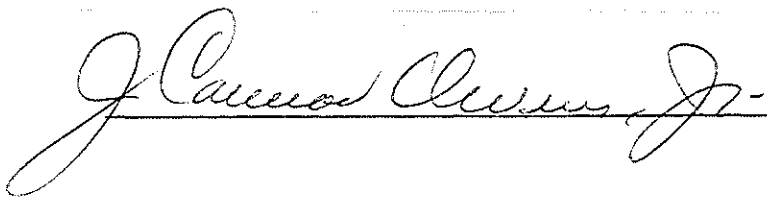
4. Petitioners further allege that for such sum due them by the said Raymond Eicher, they are entitled to a lien upon the crops or upon the proceeds arising from the sale of said crops, which lien is superior to the writ of attachment issued to the Plaintiff in this cause.

WHEREFORE, your Petitioners pray that this Honorable Court will determine and fix the indebtedness owed by the said Raymond

Either to your Petitioners in the sum of \$1,026.00 and determine that Petitioners are entitled to a lien upon the proceeds of the crops, the subject of this suit, and require the satisfaction of said lien from the proceeds.


J. Connor Owens, Jr.,
Attorney for Petitioners.

I, the undersigned, Attorney of Record for Petitioners in the above styled cause, do hereby certify that I have caused a copy of the foregoing to be forwarded to Chason & Underwood, the Attorneys of Record for the Plaintiff in said cause, and to the Defendant and Garnishee, herein, by placing the same in the United States Mail, properly addressed, with postage prepaid, this 29 day of November, 1972.



FILED

NOV 30 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
LAW SIDE

CASE NO. 10, 665

ANSWER TO GARNISHMENT

Comes the Garnishee, BALDWIN OIL MILLS, INC., and for answer to the writ of garnishment heretofore filed in this cause says as follows:

That on the day the writ of garnishment was served on the Garnishee, it was justly indebted to the Defendant, Raymond Eicher, in the amount of Six Thousand, One Hundred Sixty-eight Dollars ⁵³ ~~and~~ ¹⁴⁴ ~~and~~ ^{THREE} ~~and~~ ^{CENTS} (\$6,168.~~00~~) which represents the proceeds of the Garnishee's purchase of 1,919 bushels of soy beans from the Defendant, Raymond Eicher. The Garnishee further says that it has been given written notice by the Merchants National Bank of Mobile, as trustee for the beneficiaries of the Last Will and Testament of John D. Clark, that the 1,919 bushels of soy beans purchased by the Garnishee were grown on land which was leased from the Clark estate and that the Defendant, Raymond Eicher, owes the John D. Clark Estate the sum of One Thousand Dollars (\$1,000.00) rental and has notified the Garnishee to pay One Thousand Dollars (\$1,000.00) of the proceeds of the soy beans to the estate.

BALDWIN OIL MILLS

By E. E. Purvis
E. E. PURVIS

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, for this State and County, personally appeared E. E. Purvis, President of BALDWIN OIL MILLS, who first being duly sworn, deposes and says on oath; that he has read the foregoing; that he has knowledge of the averments therein and that the same are true and correct.

E. E. PURBIS

Sworn to and subscribed before
me on this the 6th day of December, 1972.

Notary Public, Baldwin County
State of Alabama

FILED

DEC 7 1972

EUNICE B. BLACKMON CIRCUIT CLERK

Respectfully submitted by the following attorneys of record.

CHASON & UNDERWOOD

By Thomas W. Underwood, Jr.
Attorneys for L. Irwin & Son, Inc.

Taylor Wilkins, Jr.
Attorney for Raymond Eicher

J. Connor Owens, Jr.
Attorney for James Lipscomb and
Freddie Lipscomb

FILED

JAN 29 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

ORDER

This cause having been submitted to the Court upon the Complaint, Writ of Attachment, and Writ of Garnishment filed by the Plaintiff, L. Irwin & Son, Inc.; the answer of the garnishee, Baldwin Oil Mills, Inc., the complaints of Merchants National Bank of Mobile and James Lipscomb and Freddie Lipscomb and the motion of L. Irwin & Son, Inc., the defendant, Raymond Eicher and James Lipscomb and Freddie Lipscomb, and after considering and understanding the motion, the Clerk of the Circuit Court of Baldwin County, Alabama, is hereby ordered to issue a check in the sum of One Thousand Dollars (\$1,000.00) to the Merchants National Bank of Mobile; to issue a check in the sum of Eight Hundred Dollars (\$800.00) to James Lipscomb and Freddie Lipscomb, and to issue a check to L. Irwin & Son, Inc., for the remainder of Six Thousand, One Hundred Sixty-eight and 53/100 Dollars (6,168.53), after deducting Court costs, representing proceeds of the sale of soy beans sold by Raymond Eicher to Baldwin Oil Mills, Inc., which was attached by the Plaintiff, L. Irwin & Son, Inc., and paid into Court by the Garnishee, Baldwin Oil Mills, Inc.

It is further ordered that all Court Costs incurred in this suit be taxed against the Plaintiff, L. Irwin & Son, Inc., and that this Order shall be considered as a consent judgment, and that upon each party's receipt of the proportionate share of the Six Thousand, One Hundred Sixty-eight and 53/100 Dollars (\$6,168.53)

as above set out, all causes of action filed by the Plaintiffs in this suit shall be considered settled and paid in full.

DONE this the 31st day of January, 1973.

Telfair J. Mashburn
Telfair J. Mashburn
Circuit Judge

Minute:
Book 13
Page 152

IRWIN & SON, INC. VS RAYMOND EICHER (10,665)
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where delivered

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to addressee

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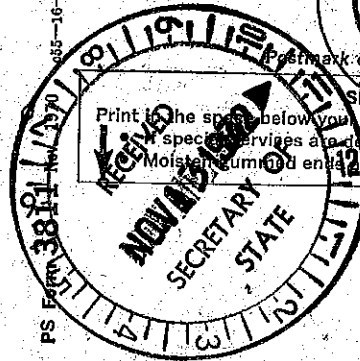
1 *Raymond Eicher*
2
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