

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Charles K. Fincher to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of State Farm Mutual Automobile Insurance Company.

Witness my hand this 30 day of October, 1972.

Ernie B. Blackner
Clerk

STATE FARM MUTUAL AUTOMOBILE X
INSURANCE COMPANY, X

Plaintiff, X

IN THE CIRCUIT COURT OF

vs. X

BALDWIN COUNTY, ALABAMA X

CHARLES H. FINCHER, X

AT LAW

Defendant. X

10,677

The Plaintiff claims of the Defendant Five Hundred Nine Dollars and Thirty-one Cents (\$509.31) due by Promissory Note made by him on the 19th day of April, 1972, and payable on demand, together with interest thereon at the rate of six percent (6%) per annum from April 19, 1972.

The Plaintiff further alleges that in and by the terms of said Promissory Note, the Defendant agreed to pay all costs of collecting or securing, or attempting to collect or secure said note, including a reasonable attorney's fee and the Plaintiff claims of the Defendant the further and additional sum of One Hundred

Dollars (\$100.00) as such reasonable attorney's fee.

The Plaintiff further alleges that in and by the terms of said Promissory Note, the Defendant waived as to the debt evidenced thereby all right of exemption under the Constitution and laws of Alabama, or any other State, as to personal property and the Plaintiff claims the benefit of such waiver of exemption.

CHASON, STONE & CHASON

By:

John E. Chason
Attorneys for Plaintiff.

The Defendant may be served at
Loxley, Alabama

FILED

OCT 30 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

Received _____ day of _____ 19____
and on 11 day of Nov. 1972
I served a copy of the within etc
on Charles H. Fincher

By service on _____

TAYLOR WILKINS, Sheriff
By H. Brown D. 9
Sofly

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM ~~\$100.00~~
FOR SERVING _____ PROCESS(ES) AND
TRAVEL EXPENSE ON EACH OF \$ 4.00
PROCESS(ES) OR A TOTAL OF \$ 4.00

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Plaintiff,

VS.

CHARLES H. FINCHER,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

* * * * *

SUMMONS AND COMPLAINT

RECEIVED

OCT 30 1972

TAYLOR WILKINS

SHERIFF
CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. BOX 120
BAY MINETTE, ALABAMA

10, 6 77

1

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Plaintiff,

VS:

CHARLES H. FINCHER,

Defendant.

* IN THE CIRCUIT COURT OF

* BALDWIN COUNTY, ALABAMA

* LAW SIDE

*

* CASE NUMBER 10,677

*

M O T I O N T O S T A Y

Comes the Defendant in the above styled cause, by
and through his attorney, William M. Clarke, and shows unto
this Honorable Court as follows:

That on to-wit; the 25th day of September, 1972,
the said Defendant filed a Petition under the Bankruptcy
Act as amended, Case No. 33,292 in the District Court
of the United States for the Southern Division, State of
Alabama.

WHEREFORE, said Defendant moves this Honorable
Court to stay and hold in abeyance all further matters in
this proceeding.

WILLIAM M. CLARKE,
Attorney for Defendant

BY:


William M. Clarke

FILED

NOV 18 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF ALABAMA
213 U.S. COURT HOUSE & CUSTOM HOUSE
MOBILE, ALABAMA 36602
February 22, 1974

WILLIAM J. O'CONNOR
CLERK

Ms. Eunici B. Blackmon
Circuit Courthouse
Bay Minette, Alabama

In re: CIVIL ACTION NO. 10,677
STATE FARM MUTUAL
AUTOMOBILE INS. CO. VS.
CHARLES H. FINCHER

Dear Ms. Blackmon:

Please be advised that after diligent search of our records concerning the enclosed bill of cost, that was received in our office February 22, 1974 - as of this date there has not been filed in our office any removal proceedings relating to the above styled cause.

If we can be of further assistance please don't hesitate to contact us!

Very truly yours,

WILLIAM J. O'CONNOR, CLERK

BY - *H.R. Sylvestre*
Deputy Clerk

CENTRAL OIL COMPANY,
a corporation,

Plaintiff,

vs.


EDDIE LEE NICHOLS,

Defendant.

: IN THE CIRCUIT COURT OF
:
BALDWIN COUNTY, ALABAMA
:
AT LAW
:
:
:
Case No. 10,628

C O M P L A I N T

Plaintiff claims of the defendant the sum of ONE THOUSAND FIVE HUNDRED SEVENTY-SEVEN AND 40/100 (\$1,577.40) DOLLARS, as damages, for that heretofore and on, to-wit: the fifth day of July, 1972, the defendant so negligently operated an automobile on Battleship Parkway at a point approximately 1/5th of a mile East of the Mobile County line, at which point the said Battleship Parkway is a public road in Baldwin County, Alabama, as to cause or allow his vehicle to collide with the vehicle of the plaintiff which was being operated at said time and place, and as a direct and proximate result of the negligence of the defendant, as aforesaid, plaintiff's vehicle was badly bent, broken, and otherwise damaged, hence this suit.


BENJAMEN T. ROWE, Attorney for
Plaintiff

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
Post Office Box 123
Mobile, Alabama

Defendant may be served at Route 2, Box 53B, Daphne, Alabama

FILED

OCT 30 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

10,678

Central Oil Company
a corp.

vs.

Eddie Lee Nichols

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 10,678

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Eddie Lee Nichols

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.....

Eddie Lee Nichols....., Defendant.....

by Central Oil Company, a corporation
1

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

Witness my hand this 30th day of October 1972

Ernie B. Blackmon, Clerk

24 10-21-72

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

CENTRAL OIL COMPANY

Plaintiffs

vs.

EDDIE LEE NICHOLS

Defendants

SUMMONS AND COMPLAINT

Filed October 30, 1972

Eunice B. Blackmon Clerk

RECEIVED

OCT 30 1972

TAYLOR WILKINS

SHERIFF

Hand, Arendall, Bedsole, Greaves &
Johnston

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19.....

Sheriff

I have executed this summons

this 31 Oct, 1972

by leaving a copy with

Eddie Lee Nichols

TAYLOR WILKINS, SHERIFF OF BALDWIN

COUNTY, ALABAMA, CLAIM \$1.50 EACH

FOR SERVING (PROCESSES) AND

TRAVEL EXPENSE ON EACH OF \$1.50

PROCESSES FOR A TOTAL OF \$6.00

Sheriff

Deputy Sheriff

CENTRAL OIL COMPANY,
a corporation

Plaintiff

vs

EDDIE LEE NICHOLS

Defendant

) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA

) AT LAW

)

)

CASE NO: 10,678

)

PLEA

Comes now the Defendant, Eddie Lee Nichols, in the above styled cause, and for plea to the bill of complaint heretofore filed against him in said cause, says as follows:

1. Not guilty.

2. For that the Plaintiff, at the time and place therein alleged in said bill of complaint, was itself guilty of negligence in and about the operation of its said motor vehicle, and said negligence proximately contributed to the accident and resulting damages as alleged by the Plaintiff, hence the Plaintiff has no right of recovery.

3. Comes now the Defendant in the above styled cause and for further answer and by way of recoupment, pleads as follows:

The Defendant claims of the Plaintiff the sum of ONE THOUSAND (\$1,000.00) DOLLARS as damages for that heretofore and on, to-wit, the 5th day of July, 1972, the Plaintiff, by its agents, servants and employees, while acting within the line and scope of their authority as such, so negligently operated a motor vehicle as to cause or allow the same to run into, upon, or against a motor vehicle in the possession of the Defendant and as a direct and proximate result of such negligence of the Plaintiff, its agents, servants or employees, while acting within the line and scope of their authority, the Defendant's vehicle was damaged by being bent, broken and smashed, and the market value of said vehicle was permanently depreciated all to the damage of the Defendant as aforesaid, hence this suit.

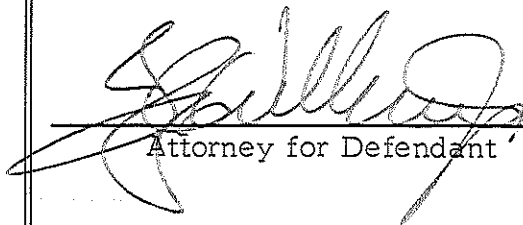


Taylor Wilkins, Jr.

Attorney for Defendant

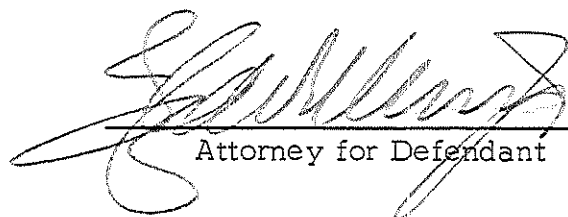
Defendant respectfully demands

a trial of this cause by jury.



Attorney for Defendant

I, the undersigned, Taylor Wilkins, Jr., attorney for the Defendant in the above styled cause, do hereby certify that I have on this the 4th day of December, 1972, forwarded a true and exact copy of the foregoing plea to Mr. Benjamin T. Rowe, Attorney at Law, P. O. Box 123, Mobile, Alabama, attorney of record for the Plaintiff, mailed in the United States Mail, properly addressed, with first class postage paid thereon.



Attorney for Defendant

FILED

DEC 5 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

CENTRAL OIL COMPANY, : IN THE CIRCUIT COURT OF
a corporation, :
Plaintiff, : BALDWIN COUNTY, ALABAMA
vs. : AT LAW
EDDIE LEE NICHOLS, :
Defendant. : CASE NO. 10,678

D E M U R R E R

Comes now the plaintiff and demurs to Plea Two filed herein by defendant Eddie Lee Nichols, and, for grounds of demurrer, sets down and assigns, separately and severally, the following:

1. That it does not state facts sufficient to constitute a defense to this action.

2. For that contributory negligence is therein alleged merely as a conclusion of the pleader.

3. For that it is vague, indefinite and uncertain, in that it does not apprise this plaintiff with sufficient certainty of what act or acts of negligence plaintiff allegedly committed.

4. For that the averments set up, if true, do not show any negligence on the part of the plaintiff.

5. For that there does not appear sufficient causal connection between this plaintiff's said negligence and plaintiff's injuries and damages.

6. No facts are alleged to show that plaintiff sustained any damage or injury as the proximate result of any negligence on his part.

7. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity.

8. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that it fails to state sufficient facts showing how this plaintiff allegedly negligently operated his motor vehicle in such a manner as to contribute to his injuries and damages.

9. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that this plaintiff is not apprised with sufficient certainty of what act or acts of negligence he allegedly committed.

10. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that it does not apprise this plaintiff with sufficient certainty how he allegedly negligently operated a motor vehicle.

11. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that it does not appear with sufficient certainty what duty, if any, this plaintiff may have owed to anyone.

12. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that it does not appear with sufficient certainty how this plaintiff violated any duty owed by plaintiff to anyone.

13. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that negligent operation of the motor vehicle by plaintiff is alleged as a conclusion.

14. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that the pleader sets out in what said negligence consisted, and the facts so set out do not show negligence.

15. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that there does not appear sufficient causal connection between this plaintiff's said breach of duty and his injuries and damages.

16. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that facts are not set forth showing a causal connection between this plaintiff's said breach of duty and his injuries and damages.

17. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that no facts are alleged showing that plaintiff sustained any damage or injury as a proximate result of any negligence on his part.

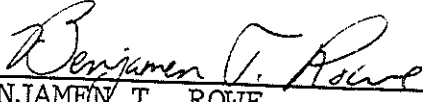
18. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that it is not alleged where said accident occurred.

19. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that there does not appear sufficient causal connection between plaintiff's said breach of duty and plaintiff's injuries and damages, in that it fails to allege facts showing how plaintiff contributed to his own injuries and damages.

20. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that no facts are alleged to show that plaintiff was injured or damaged as the proximate result of his own negligence, in that it fails to allege facts sufficient to show how plaintiff was injured.

21. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that it does not allege where said accident occurred.

22. For that it does not set out contributory negligence on the part of this plaintiff with sufficient particularity, in that facts are not set forth showing how this plaintiff violated any duty owed by plaintiff to anyone.


BENJAMIN T. ROWE
Attorney for Plaintiff

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
P. O. Box 123
Mobile, Alabama

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 26
day of Dec, 19 72, 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.



FILED

JAN 3 1973

EUNICE B. BLACKMON CIRCUIT
CLERK


CENTRAL OIL COMPANY,	:	IN THE CIRCUIT COURT OF
a corporation,	:	BALDWIN COUNTY, ALABAMA
Plaintiff,	:	AT LAW
vs.	:	
EDDIE LEE NICHOLS,	:	
Defendant.	:	CASE NO. 10,678

R E P L I C A T I O N

Comes now the plaintiff in the above styled cause, and, for reply to the answer and each plea thereof, separately and severally, sets down and assigns the following, separately and severally:

1. Plaintiff joins issue on the said plea.

2. For that on, to-wit, the 5th day of July, 1972, the defendant proximately contributed to his own injuries and damages in that the defendant so negligently operated his motor vehicle on and along Battleship Parkway at a point approximately one-fifth of a mile East of the Mobile County line, at which point the said Battleship Parkway is a public road in Baldwin County, Alabama, as to cause or allow defendant's motor vehicle to run into and against the motor vehicle being then and there operated by the plaintiff. Plaintiff further avers that, as a proximate result of the aforesaid negligence of the defendant, the defendant's motor vehicle was damaged; hence, defendant ought not recover.


 BENJAMIN T. ROWE
 Attorney for Plaintiff

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
 P. O. Box 123
 Mobile, Alabama

FILED

APR 20 1973

EUNICE B. BLACKMON CIRCUIT CLERK

I, the undersigned, Benjamin T. Rowe, attorney for the Plaintiff in the above styled cause, do hereby certify that I have on this the 18th day of April, 1973, forwarded a true and exact copy of the foregoing Replication to Taylor Wilkins, Jr., Esquire, Attorney at Law, P. O. Box 61, Bay Minette, Alabama, attorney of record for the Defendant, mailed in the United States mail, properly addressed, with first class postage paid thereon.

B.T. Rowe

Attorney for Plaintiff

FILED

APR 20 1973

EUNICE B. BLACKMON ^{CIRCUIT} CLERK

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

LAWYERS

30TH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

MAILING ADDRESS:
P. O. DRAWER C
OR P. O. BOX 123

CABLE ADDRESS:
HAB
TELEPHONE
432-5511
AREA CODE 205

CHAS. C. HAND
C. D. ARENDALL, JR.
T. MASSEY BEDSOLE
THOMAS G. GREAVES, JR.
VIVIAN G. JOHNSTON, JR.
PAUL W. BROCK
ALEX F. LANKFORD, III
EDMUND R. CANNON
LYMAN F. HOLLAND, JR.
J. THOMAS KINES, JR.
DONALD F. PIERCE
LOUIS E. GRASWELL
HAROLD D. PARKMAN
G. PORTER BROCK, JR.
HARWELL E. COALE, JR.
STEPHEN G. CRAWFORD
JERRY A. WOODWELL
W. RAMSEY MCKINNEY, JR.
LARRY U. SIMS
A. CLAY RANKIN, III
EDWARD A. HYNDMAN, JR.
MICHAEL D. KNIGHT
G. HAMP UZZELLE, III
BENJAMIN T. ROWE
G. L. LEATHERBURY, JR.
WILLIAM C. ROEDDER, JR.
DAVID A. BAGWELL

June 24, 1975

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

Re: Central Oil Company vs. Eddie Lee Nichols
Case No. 10,678

Dear Mrs. Blackmon:

The writ of execution in the above referenced matter has been returned marked "no property found." Therefore, would you please issue Interrogatories to the Defendant, Eddie Lee Nichols. Defendant may be served at Route 2, Box 53B, Daphne, Alabama, 36526.

Would you please indicate receipt of this letter and interrogatories by enclosing our receipt in the stamped, self-addressed envelope enclosed.

Thank you for your continuing cooperation.

Yours very truly,



Benjamin T. Rowe
For the Firm

BTR/kld

Enclosures

CENTRAL OIL COMPANY,
a corporation,

Plaintiff,

-vs-

EDDIE LEE NICHOLS,

Defendant.

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*
*
*
*
*
*

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

CIVIL ACTION NO. 10,678

INTERROGATORIES TO DEFENDANT

Comes now the Plaintiff in the above-styled cause and propounds the following Interrogatories to the Defendant, to be answered in writing under oath:

1. State your name.
2. State your present address.
3. List any real property in which you have interest, by city, county, street address, and legal description.
4. List any and all bank accounts which you have, including the name of the bank, the account number, and the amount of money contained therein.
5. If you are employed, give the name and address and business name, if any, of your employer.
6. If you own an automobile, give the make, current tag number, motor serial number, and year of manufacturer of each such automobile.
7. List any notes, bonds, or other causes in action which you hold, stating the name of the person or firm which owes you money under those instruments.

8. State whether you have in your possession any cash, and if so, state the amount thereof and its location.

9. State the names and addresses of any person or corporation who owes you money.

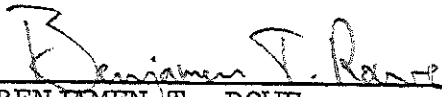
10. State the name and address of any person or corporation to whom you owe money.

11. State the name and address of any person or corporation which holds a mortgage on any property which is owned by you.

12. State the name of any person or any corporation who has any interest in your automobile, if you have one.

13. Do you own any cattle? If so, state the number and breed of such cattle.

14. Do you own any firearms? If so, state the brand and variety thereof.


BENJAMEN T. ROWE
Attorney for the Plaintiff.

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSON
Post Office Box 123
Mobile, Alabama 36601

FILED

JUN 25 1975

EUNICE B. BLACKMON CIRCUIT
CLERK

STATE OF ALABAMA:

COUNTY OF MOBILE:

Before me, the undersigned authority in and for said County and in said State, this day personally appeared Benjamin T. Rowe, who is known to me, and who, being by me first duly sworn, upon oath deposes and says that he is one of the attorneys for said specified plaintiff in the above-styled cause, and as such is authorized to make this affidavit; that the answers of the defendant to the foregoing interrogatories, when well and truly made and filed, will be material testimony and will aid plaintiff in this cause.

Benjamin T. Rowe
BENJAMIN T. ROWE

Subscribed to and sworn to before
me this 24th day of June, 1975.

Jacqueline D. Parker
NOTARY PUBLIC OF MOBILE COUNTY, ALABAMA

Defendant may be served at Route 2, Box 53B, Daphne, Alabama 36526.
Please effect personal service.

FILED

JUN 25 1975

EUNICE B. BLACKMON CIRCUIT
CLERK

INTERROGATORIES TO DEFENDANT
SUMMONS

Moore Ptz. - Bay Minette

CENTRAL OIL COMPANY, A CORPORATION

Plaintiff

Vs.

EDDIE LEE NICHOLS

Defendant

CIRCUIT COURT of BALDWIN COUNTY, ALABAMA

Civil Action No. 10,678

19

To Any Sheriff or any person authorized by Rule 4(a)(3) of the Alabama Rules of Civil Procedure to effect service in the State of Alabama:

You are hereby commanded to serve this summons and a copy of the complaint in this action upon defendant Eddie Lee Nichols - Route 2, Box 53B, Daphne, Alabama

Each defendant is required to serve a copy of a written answer to the complaint upon Hand, Arendall, Bedsole, Greaves & Johnston, Attorney of record for the plaintiff whose address is P. O. Box 123, Mobile, Alabama 36601

P. O. Box 123, Mobile, Alabama 36601 within thirty (30) days after service of this summons excluding the day of service of the summons and to file the original of said written answer with the Clerk of this Court at the time of service of the answer upon the attorney of record for the Plaintiff or within a reasonable time thereafter. If any defendant fails to do so, a judgment by default may be entered against that defendant for the relief complained of in the complaint.

Dated June 25, 1975

Eunice B. Blackmon

Clerk of Circuit Court

INTERROGATORIES TO DEFENDANT

Civil Action No. 10,678

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

CENTRAL OIL COMPANY, A CORP.

Plaintiffs

Vs.

EDDIE LEE NICHOLS

Defendants

SUMMONS

Filed June 25 19 75

EUNICE B. BLACKMON, Clerk

FILED

JUN 25 1975

EUNICE B. BLACKMON CIRCUIT
CLERK

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Route 2, Box 53B, Daphne, Alabama

RECEIVED
Received In Office

JUN 25 1975

19

THOMAS H. BENTON

Sheriff

I have executed this summons

this 26 June 19 75
by leaving a copy with

Eddie Lee Nichols

Sheriff claimed 44 miles at
Ten Cents per mile Total \$ 4.40
THOMAS H. BENTON, Sheriff

BY

J B Benton
DEPUTY SHERIFF

Thomas H. Benton Sheriff

J B Benton Deputy Sheriff

MOORE Prtg. Co., Bay Minette

(B)

INTERROGATORIES TO DEFENDANT
SUMMONS

Moore Pmtg. - Bay Minette

CENTRAL OIL COMPANY, A CORPORATION

Plaintiff

Vs.

EDDIE LEE NICHOLS

Defendant

CIRCUIT COURT of BALDWIN COUNTY, ALABAMA

Civil Action No. 10,678

19

To Any Sheriff or any person authorized by Rule 4(a)(3) of the Alabama Rules of Civil Procedure to effect service in the State of Alabama:

You are hereby commanded to serve this summons and a copy of the complaint in this action upon defendant Eddie Lee Nichols - Route 2, Box 53B, Daphne, Alabama

Each defendant is required to serve a copy of a written answer to the complaint upon

Hand, Arendall, Bedsole, Greaves & Johnston, Attorney of record for the plaintiff whose address is

P. O. Box 123, Mobile, Alabama 36601 within

thirty (30) days after service of this summons excluding the day of service of the summons and to file the original of said written answer with the Clerk of this Court at the time of service of the answer upon the attorney of record for the Plaintiff or within a reasonable time thereafter. If any defendant fails to do so, a judgment by default may be entered against that defendant for the relief complained of in the complaint.

Dated June 25, 1975

Eunice B. Blackmon
Clerk of Circuit Court

4325511

INTERROGATORIES TO DEFENDANT

Civil Action No. 10,678

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

CENTRAL OIL COMPANY, A CORP.

Plaintiffs

Vs.

EDDIE LEE NICHOLS

Defendants

SUMMONS

Filed June 25 19 75

BUNICE B. BLACKMON, Clerk

HAND, ARBNDALL, BEDSOLE, GREAVES & JOHNSTON
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Route 2, Box 53B, Daphne, Alabama

Received In Office

19

Sheriff

I have executed this summons

this 19

by leaving a copy with

Sheriff

Deputy Sheriff

MOORE Prtg. Co., Bay Minette

CENTRAL OIL COMPANY,
a corporation,

Plaintiff,

-vs-

EDDIE LEE NICHOLS,

Defendant.

*

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*

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*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CIVIL ACTION NO. 10,678

FILED

JUL 11 1975

EUNICE B. BLACKMON CIRCUIT
CLERK

Answers
INTERROGATORIES TO DEFENDANT

Comes now the Plaintiff in the above-styled cause and propounds the following Interrogatories to the Defendant, to be answered in writing under oath:

1. State your name. *Eddie S Nichols*
2. State your present address. *Q1 Box 25 DAPHNE
Bun Roit*
3. List any real property in which you have interest, by city, county, street address, and legal description. *NONE*
4. List any and all bank accounts which you have, including the name of the bank, the account number, and the amount of money contained therein. *NONE*
5. If you are employed, give the name and address and business name, if any, of your employer. *SARS CO. HOXLEY
AL BOX 16 P.O. 8*
6. If you own an automobile, give the make, current tag number, motor serial number, and year of manufacturer of each such automobile. *NONE*
7. List any notes, bonds, or other causes in action which you hold, stating the name of the person or firm which owes you money under those instruments. *NONE*

8. State whether you have in your possession any cash, and if so, state the amount thereof and its location. *NO*

9. State the names and addresses of any person or corporation who owes you money. *None*

10. State the name and address of any person or corporation to whom you owe money. *Complete House Hold Furniture Co. Fair Hope AL*

11. State the name and address of any person or corporation which holds a mortgage on any property which is owned by you. *I don't Have ANY*

12. State the name of any person or any corporation who has any interest in your automobile, if you have one. *for correct Answer*
Cheek with my Attorney Mr. William Clark
Mobile, AL

13. Do you own any cattle? If so, state the number and breed of such cattle. *NO*

14. Do you own any firearms? If so, state the brand and variety thereof. *NO*

Benjamin T. Rowe
BENJAMEN T. ROWE
Attorney for the Plaintiff.

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSON
Post Office Box 123
Mobile, Alabama 36601

FILED

JUN 25 1975

EUNICE B. BLACKMON CIRCUIT
CLERK

STATE OF ALABAMA:

COUNTY OF MOBILE:

Before me, the undersigned authority in and for said County and in said State, this day personally appeared Benjamin T. Rowe, who is known to me, an who, being by me first duly sworn, upon oath deposes and says that he is one of the attorneys for said specified plaintiff in the above-styled cause, and as such is authorized to make this affidavit; that the answers of the defendant to the foregoing interrogatories, when well and truly made and filed, will be material testimony and will aid plaintiff in this cause.

Benjamin T. Rowe
BENJAMEN T. ROWE

Subscribed to and sworn to before

me this 24th day of June, 1975.

Jacqueline D. Parker
NOTARY PUBLIC OF MOBILE COUNTY, ALABAMA

Defendant may be served at Route 2, Box 53B, Daphne, Alabama 36526.
Please effect personal service.

FILED

JUN 25 1975

EUNICE B. BLACKMON CIRCUIT
CLERK

RELEASE OF GARNISHMENT

Circuit Court of Baldwin County, Alabama

RE: CENTRAL OIL COMPANY, A CORPORATION

vs.

Plaintiff.

#10,678½

EDDIE LEE NICHOLS

Defendant.

To: SARS CORPORATION

GARNISHEE

I, Eunice B. Blackmon, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that in the above styled case, Garnishment has been released and Garnishee has been discharged.

Witness my hand, this the 12th day of September, 19 75

Eunice B. Blackmon CLERK.

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

LAWYERS

30TH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

CHAS. C. HAND
C. B. ARENDALL, JR.
T. MASSEY BEDSOLE
THOMAS G. GREAVES, JR.
VIVIAN G. JOHNSTON, JR.
PAUL W. BROCK
ALEX F. LANKFORD, III
EDMUND R. CANNON
LYMAN F. HOLLAND, JR.
J. THOMAS HINES, JR.
DONALD F. PIERCE
LOUIS E. DRASWELL
HAROLD D. PARKMAN
G. PORTER BROCK, JR.
HARWELL C. COALE, JR.
STEPHEN G. CRAWFORD
JERRY A. MCDOWELL
W. RAMSEY MCKINNEY, JR.
LARRY U. SIMS
A. CLAY RANKIN, III
EDWARD A. HYNDMAN, JR.
MICHAEL D. KNIGHT
G. HAMP URZELLE, III
BENJAMEN T. ROWE
G. L. LEATHERBURY, JR.
WILLIAM C. ROEDDER, JR.
DAVID A. BAGWELL

MAILING ADDRESS:
P. O. DRAWER C
OR P. O. BOX 123

CABLE ADDRESS
HAS
TELEPHONE
432-5511
AREA CODE 205

September 2, 1975

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

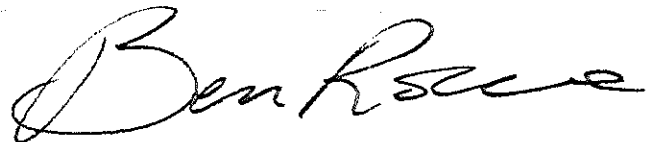
Re: Central Oil v. Eddie Lee Nichols
Case No. 10,678

Dear Eunice:

Please release our garnishment in the above referenced matter.

With best regards,

Yours very truly,



Benjamin T. Rowe
For the Firm

BTR.jdp

FILED

SEP 12 1975

EUNICE B. BLACKMON CIRCUIT
CLERK

**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 October Term, 1973, of the Circuit Court of Baldwin County, to-wit: On the 9th day of October, 1973, being a regular day of said term, Central Oil Company, a corporation

recovered judgment against Eddie Lee Nicholsfor the sum of \$1600.00 Dollars, and cost of suit,and affidavit having been made by Benjamin T. Rowe that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, viz:Sars CompanyP. O. Box 8Loxley, Alabama

has or believed to have in its possession, or under its control money or effects belonging to said defendant Eddie Lee Nichols or that it is, or is believed to be indebted to said defendant and 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 Sars Company

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 date of the service of the garnishment or at the making its answer, or at any time intervening the time of servicing the garnishment, and making the answer it was not indebted to said defendant Eddie Lee Nichols and whether it will not be indebted in future to said defendant Eddie Lee Nichols by a contract then existing, and whether by 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 Eddie Lee Nichols

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

Witness, Eunice B. Blackmon, Clerk of said Court, this 28th day of July, A. D., 1975
Issued 28th day of July, A. D., 1975

ATTEST: *C*Eunice B. Blackmon Clerk

FILED

JUL 28 1975

CLERK OF COURT
BALDWIN COUNTY
SEAL

Sherriff & Co.
Ten Courts Bldg
TOMMAS 11

BY Hall
DEPUTY SHERIFF

40 miles
4:32

Received 28 day of July 19 75
and on 30 day of July 19 75
I served a copy of the within Writ
on Sars Co

By service on Mr Shores 7-30-75

By H F Hall S.S.

Circuit Court, Baldwin County

No. 10,678 1/2

CENTRAL OIL COMPANY, A CORPORATION

Vs. } GARNISHMENT ON JUDGMENT

EDDIE LEE NICHOLS

Issued _____ day of _____ 19__

Returnable _____ day of _____ 19__

BENJAMIN T. ROME

Attorney

MOORE PRF. Co., Bay Minette

CENTRAL OIL COMPANY, a

corporation, Plaintiff

VS.

EDDIE LEE NICHOLS,

Defendant

CIRCUIT COURT

~~MOBILE~~ COUNTY

BALDWIN

To Eddie Lee Nichols

Defendant

You will please take notice that garnishment was issued in the above entitled cause
against Sars Company

on the day of 19, returnable to the present term of the Circuit
Court of Baldwin County, Alabama, within thirty days from date of service of process on said Garnishees.

EUNICE BLACKMON
WITNESS, ~~JOHN XXXXXXXXXXXXX~~, Clerk of said Court, this 28th day of July 19 75

Eunice B. Blackmon, Clerk

THE STATE OF ALABAMA }
MOBILE COUNTY
BALDWIN

CIRCUIT COURT

Personally appeared before me, Eunice Blackmon Baldwin
~~John E. Blackmon~~, Clerk of the Circuit Court in and for ~~Mobile~~ County
and State aforesaid Benjamin T. Rowe

who being duly sworn, on oath says, that on the 9th day of October, 19 73
in the Circuit Court of ~~Mobile~~ County, in Case No. 10,678 The Plaintiff

Central Oil Company, a corporation

recovered a judgment against Eddie Lee Nichols

is Route 1, Box 25, Daphne, Alabama the Defendant, whose address

for the sum of \$1600.00

Dollars, besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect;
that Sars Company

whose address is Post Office Box 8, Loxley, Alabama

is supposed to be indebted to or have effects of the said Eddie Lee Nichols

in its possession or under its

control, and that he believes process of Garnishment against the said

Sars Company

is necessary to obtain satisfaction of said Judgment.

Benjamin T. Rowe

Sworn to and subscribed this 28
day of July A.D., 19 75

Eunice B. Blackmon
Clerk

FILED

JUL 28 1975

EUNICE B. BLACKMON CIRCUIT
CLERK

No. 10,678 1/2

Circuit Court, Mobile County
BALDWIN

CENTRAL OIL COMPANY, a
corporation,

VS. Plaintiff,

EDDIE LEE NICHOLS,
Rt. 1 Box 25
Daphne, Ala. Defendant.

Notice to Defendant of
ISSUANCE OF GARNISHMENT

Issued the _____ day of _____

19__

JUL 28 1975

THOMAS H. BENTON
SHERIFF

Sheriff claimed 400

100 Cents per mile 1900 400

THOMAS H. BENTON, Sheriff

BY J B Batten

Received 28 day of July 19 75
and on 29 day of July 19 75
I served a copy of the within Notice
on Eddie Lee Nichols
By service on Eddie Lee Nichols

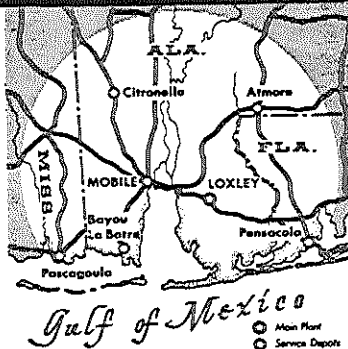
THOMAS H. BENTON, SHERIFF
J B Batten D.S.

SARS, INCORPORATED

C. O. CUMMINGS - Pres.
 R. J. CUMMINGS - V. Pres.
 J. E. ALLEN, Jr. - Sec. & Treas.

serving

.....



with quick courteous service

August 5, 1975

The Clerk of the Circuit Court
 Baldwin County
 Bay Minette, Alabama

Re: Eddie L. Nichols
 Case No. 10,678½

Dear Sir:

This will acknowledgement receipt of the Garnishment on
 Judgement against the above named employee, Eddie L. Nichols.

We are indebted to him only for wages worked each week that
 he is employed by us and will only be indebted to him for as
 long as he is employed by us.

Very truly yours,

Andrew J. Cumbie
 ANDREW J. CUMBIE
 OFFICE MANAGER

AJC/s
 cc:file

.....
 animal proteins
 tallows
 estabilized fats

FILED

AUG 6 1975

EUNICE B. BLACKMON
 CIRCUIT
 CLERK