

254/5

S U M M O N S .

STATE OF ALABAMA, Ø
 Ø TO ANY SHERIFF OF THE STATE OF ALABAMA:
COUNTY OF BALDWIN. Ø

You are hereby commanded to summon CURTIS FOSTER, also known as BOB FOSTER, to appear with in thirty days from the service of this writ in the Circuit Court, to be held for said County, at the place of holding the same, then and there to answer the complaint of AYRES C. LITTLE AND CLYDE LITTLE, A Partnership, doing business as LITTLE MOTOR COMPANY.

Witness my hand this 28th day of February, 1955.

Reice J. Hanna
C L E R K .

AYRES C. LITTLE AND CLYDE
LITTLE, A partnership, doing
business as LITTLE MOTOR
COMPANY,

Plaintiffs,

VS:

CURTIS FOSTER, ALSO KNOWN AS
BOB FOSTER,

Defendant,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. _____

C O M P L A I N T .

C O U N T O N E .

The plaintiffs claim of the defendant \$ 240⁰⁰
due on a promissory note made by him on the 4th day of August,
1952 to the Baldwin County Bank at Bay Minette, Alabama, in
the amount of THREE HUNDRED (\$300.00) DOLLARS, which said note
was indorsed by the plaintiffs and the balance of \$ 240⁰⁰
due on said note paid by them on to-wit: the 11th day of June,
1953.

The plaintiffs aver that in, and by the terms, of said note
the defendant waived all rights of exemption as to personal
property under the laws of Alabama and further agreed to pay a
reasonable attorney's fee for the collection of this said note;
and plaintiffs claim FIFTY (\$50.00) DOLLARS as a reasonable
attorney's fee in the premises.

Plaintiffs further aver that said sum of money with the
damages and interest thereon is still due and unpaid.

C O U N T T W O .

Plaintiffs claim of the defendant \$ 163⁴⁴ due
from him by account stated between the plaintiffs and defendant
To-wit
on the 15th day of May, 1953, which sum of
money with the interest thereon is still unpaid.

J. H. A. Masbury, Jr.
Attorney for Plaintiffs.

this 28 day of Feb, 1955
TAYLOR WILKINS, Sheriff

NO 2545

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. _____

AYRES C. LITTLE AND CLYDE
LITTLE, A Partnership,
doing business as LITTLE
MOTOR COMPANY,

Plaintiffs,

VS:

CURTIS FOSTER, also known
as BOB FOSTER,

Defendant.

C O M P L A I N T .

TELFAIR J. MASHBURN
ATTORNEY AT LAW
DAHLBERG BUILDING
BAY MINETTE, ALABAMA

FILED

FEB 28 1955

ALICE J. BUCK, Clerk

Received _____ day of _____ 19____
and on 28 day of Feb 1955
I served a copy of the within Complaint
on _____

By service on Curtis Foster

TAYLOR WILKINS, Sheriff

By J. P. Horn D.S.

ATTACHMENT

The State of Alabama, {
Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, Ayres C. Little

hath complained on oath to me, ALICE J. DUCK, Clerk of Circuit Court of Baldwin County, Ala., that
Curtis Foster, also known as Bob Foster

is justly indebted to the Plaintiff Ayres C. Little and Clyde Little

in the sum of Four hundred thirteen and 44/100 Dollars, and

Ayres C. Little and Clyde Little having made affidavit and given bond
as required by law, in such cases, you are hereby commanded to attach so much of the estate of
Curtis Foster also known as Bob Foster

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such estate, so
attached unless replevied, so to secure, that the same may be liable to further proceedings thereon to be
had by the Circuit Court of Baldwin County, Ala., at a term thereof, to be held at the Court House of said
County, on _____ Monday of _____ 19_____
next; when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 28th day of February A. D., 19 55...

Alice J. Duck Clerk.

No. 2845

ATTACHMENT

RECORDED

ATTACHMENT

Vs.

195

Issued

Printed by Moore Printing Co.

Executed this 28th day of Feb 1954 by
attaching one Chev. Pickup truck Motor No. KBT-54217
and one Palace Porch Home trailer. Pickup truck
was claimed by Everett J. Stewart who made an affidavit
and furnished proof of ownership. Indemnity bond was
demanded and was not furnished. Truck was released
to Everett J. Stewart. House Trailer was claimed by Deft's
wife and same was released to her after Indemnity
bond was not furnished. Author W. O. Ben. Stewart

AFFIDAVIT FOR ATTACHMENT.

STATE OF ALABAMA, 0
 0
COUNTY OF BALDWIN. 0

Before me, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, personally appeared AYRES C. LITTLE, who being duly sworn, deposes and saith:

That ~~CURTIS FOSTER~~, also known as BOB FOSTER, is justly indebted to LITTLE MOTOR COMPANY, a partnership composing of AYRES C. LITTLE and CLYDE LITTLE, in the amount of Four Hundred Thirteen and 44/100 Dollars (\$413.44) dollars, which said amount is justly due, and that the said CURTIS FOSTER, also known as BOB FOSTER, is about to remove his property out of the state, and that the plaintiff will probably lose his debt and have to sue for it in another state. And that this attachment is not sued out for the purpose of vexing or harassing the said defendant.

Ayres C. Little

Sworn to and subscribed before me this 28th day of February, 1955.

Alice J. Duck
C L E R K .

ORDER FOR ATTACHMENT TO ISSUE.

STATE OF ALABAMA, 0
 0
COUNTY OF BALDWIN. 0

The above and foregoing affidavit having been filed pursuant to the provisions of Code of Alabama of 1940; Tit. 7, 850, and based upon the special facts and circumstances as set out in said affidavit, it is hereby considered, ordered and adjudged that an attachment be issued in favor of the plaintiff against defendant, CURTIS FOSTER, also known as BOB FOSTER, in the sum of \$413.44 dollars, and said sum of \$413.44 dollars is hereby fixed as the amount of said attachment.

Done at Bay Minette, Alabama, this the 28th day of February, 1955.

Hubert M. Hall
C I R C U I T J U D G E .

ATTACHMENT BOND.

STATE OF ALABAMA, 0
 0
COUNTY OF BALDWIN. 0

KNOW ALL MEN BY THESE PRESENTS, That we, AYRES C. LITTLE AND CLYDE LITTLE are held and firmly bound unto CURTIS FOSTER, also known as BOB FOSTER, in the sum of \$826⁸²₇₁ dollars, to be paid to the said AYRES C. LITTLE AND CLYDE LITTLE, their heirs, executors, administrators and assigns; for which payment, well and truly to be made, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally and firmly by these presents. Sealed with our seals, and dated, this 28th day of February, in the year of our Lord, one thousand nine hundred and fifty-five.

The condition of the above obligation is such, That, whereas, the above bound AYRES C. LITTLE AND CLYDE LITTLE have on the date hereof, prayed an attachment at the suit of AYRES C. LITTLE AND CLYDE LITTLE against the estate of the above named CURTIS FOSTER, also known as BOB FOSTER, for the sum of \$413⁴⁴₃₄ dollars and has obtained the same, returnable to the present term of Circuit Court of Baldwin County, Alabama.

Now if the said plaintiff shall prosecute CURTIS FOSTER, also known as BOB FOSTER attachment to effect, and pay the defendant all such costs and damages as they may sustain by reason of the wrongful or vexatious suing out of such attachment, then this obligation to be void, otherwise to remain in full force and effect.

Little Motor Co

By: Ayres C. Little
Partner

Approved this 28th day of February, 1955.

C L E R K .

AYRES C. LITTLE AND CLYDE
LITTLE, A partnership, doing
business as LITTLE MOTOR
COMPANY,

Plaintiffs

vs

CURTIS FOSTER, ALSO KNOWN AS
BOB FOSTER

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW.

NO. _____

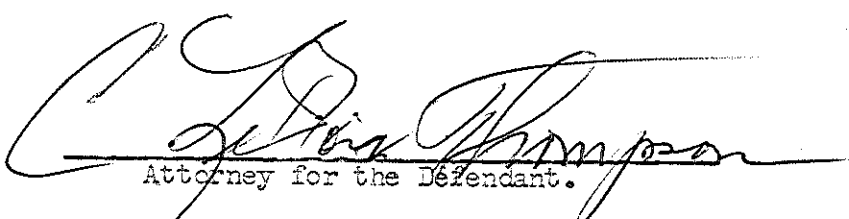
Comes the Defendant and files his answer herein to each count of said
complaint and separately and severally shows unto this Honorable Court
as follows:

1.

He denies the allegations thereof separately and severally.

2.

The Defendant in answer to the said complaint, saith that he has paid
the debt for the recovery of which this suit was brought, before the action
was commenced.


Attorney for the Defendant.

The Defendant demands trial by jury.



2545
AYRES C. LITTLE AND CLYDE
LITTLE, A partnership, doing
business as LITTLE MOTOR
COMPANY,

Plaintiffs

vs

CURTIS FOSTER, ALSO KNOWN AS
BOB FOSTER

Defendant

RECORDED
FILED

MAR 24 1955

ALICE J. DICK, CLERK

From the law offices of
C. LeNoir Thompson
Attorney-At-Law
Bay Minette, Alabama