

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

July 15, 1955

Hon. H. M. Hall  
Circuit Judge  
Bay Minette, Alabama

Re: Farmers & Merchants Bank of  
Foley, Alabama  
vs: Agnes Henderson and  
Roby C. Henderson  
Case No. 2634

Dear Judge:

Kindly render a judgment in the case mentioned above on a promissory waive note, principal \$112.50, interest \$2.50, attorney's fee \$25.00, total \$140.00. The original note dated November 17, 1954, is attached.

Yours very truly,



FOREST A. CHRISTIAN

\$ 225.00

NOV 17 1954

FOLEY, ALABAMA

19

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

## FARMERS AND MERCHANTS BANK

FOLEY, ALABAMA

Two Hundred Twenty Five - - - - - DOLLARS

payable at FARMERS AND MERCHANTS BANK, Foley, Alabama, in 6 monthly installments of

\$ 37.50 each, and one installment of \$ none, the first installment to become due and payable on

or before the 5th day of December 19 54, and one installment to become due and payable on or

before the 5th day of each succeeding month until the whole of said indebtedness is paid, with interest from

DATE at the rate of 8 per annum.

If any installment of this note is not paid at the time and place specified, the entire amount unpaid shall be due and payable at the election of the holder hereof.

The parties to this instrument, whether maker, endorser, surety or guarantor, each for himself, hereby severally agrees to pay this note and waives as to this debt, or any renewal thereof, all right to exemption under the constitution and laws of Alabama, or any other State, as to personal property and they each severally agree to pay all costs of collecting or securing, or attempting to collect or secure this note, including a reasonable attorney's fee, whether the same be collected or secured by suit or otherwise, and maker, endorser, surety or guarantor, of this note severally waives demand, presentment, protest, notice of protest, suit and all other requirements necessary to hold them, and they agree that time of payment may be extended without notice to them of such extension. The Bank at which this note is payable is hereby authorized to apply on or after maturity to the payment of this debt any funds in said bank belonging to the maker, surety, endorser, guarantor, or any one of them.

No. 49449

Address Lillian, Ala.

*James Henderson* (Seal)

x *Riley C. Henderson* (Seal)

SUMMONS

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon AGNES HENDERSON and ROBY C. HENDERSON, 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, Alabama, at Bay Minette, against AGNES HENDERSON and ROBY C. HENDERSON, by THE FARMERS & MERCHANTS BANK of Foley, Alabama.

Witness my hand this the 15 day of June, 1955.

*Eric J. Black*

COMPLAINT

THE FARMERS & MERCHANTS BANK  
of Foley, Alabama,

PLAINTIFF

VS:

AGNES HENDERSON and  
ROBY C. HENDERSON,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

The plaintiff claims of the defendant ONE HUNDRED TWELVE & 50/100 DOLLARS (\$112.50), due by promissory note made by then on the 17th day of November, 1954, and payable on the 6th day of June, 1955, with interest thereon.

Said note provides for a reasonable attorney's fee, which plaintiff alleges to be \$25.00.

*Eric J. Black*  
Attorney for Plaintiff

The defendant lives at Lillian, Ala.

Garnishment on Judgment.

The State of Alabama,  
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

February

TERM, 1956

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular July 16, Term, 1955, of the Circuit Court of Baldwin County,  
to-wit: On the 16th day of JULY, 1956, being a regular day of  
said term,

THE FARMERS & MERCHANTS BANK OF MOLEY, ALA.

recovered judgment against

AGNES HENDERSON & ROBY C. HENDERSON

for the sum of EIGHTY and no/100 (\$80.00) Dollars, and cost of suit,  
and affidavit having been made by FOREST A. CHRISTIAN  
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, BAY MINETTE, ALABAMA and THE  
CUSTODIAN OF THE FUNDS OF THE BALDWIN COUNTY BOARD OF EDUCATION,

has or is believed to have in their possession, or under their control money  
or effects belonging to said defendant A. HENDERSON & R.C. HENDERSON 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, 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.

You Are Therefore Hereby Commanded to Summon

BALDWIN COUNTY BOARD OF EDUCATION, BAY MINETTE, ALA. and the CUSTODIAN OF  
THE FUNDS OF THE BALDWIN COUNTY BOARD OF EDUCATION.

to be and appear before the honorable Judge of the Circuit Court for Baldwin County, at the Court House  
thereof, in the city of Bay Minette, on the within 30 days Monday in \_\_\_\_\_ A. D. 19\_\_\_\_,  
then and there within the three first days of the term, to answer on oath, whether at the time of the service  
of the garnishment, or at the time making their answer, or at any time intervening the time of serv-  
ing the garnishment, and making the answer \_\_\_\_\_ was \_\_\_\_\_ indebted to said defendant  
\_\_\_\_\_ and whether they \_\_\_\_\_ will not be indebted in future to said defendant

\_\_\_\_\_ by a contract then existing, and whether by a contract then existing \_\_\_\_\_  
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 they have not in their possession or under their control money or  
effects belonging to the defendant Agnes Henderson & Roby C. Henderson

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

Witness, ALICE J. DUCK, Clerk of said Court, this 24th day of February, A. D., 1956

Issued 24th day of February A. D., 1956

ATTEST:

Alice J. Duck, Clerk.

received 24 day of Feb 1956  
on 24 day of Feb 1956  
served a copy of the within whit  
Baldwin County Board  
of Education  
y service on Mr. Bennett

TAYLOR WILKINS, Sheriff

By Robert D. S.

RECORDED  
Circuit Court, Baldwin County

No. 26317

THE FARMERS & MERCHANTS BANK OF FOLEY

VS. } Garnishment On Judgment

AGNES HENDERSON & ROBY C. HENDERSON

Issued 24th day of Feb. 1956

Returnable        day of        19      

FOREST A. CHRISTIAN

Attorney

AFFIDAVIT ON JUDGMENT

THE STATE OF ALABAMA, )

BALDWIN COUNTY. )

PERSONALLY appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for said County, Forest A. Christian, who being duly sworn, deposes and saith that on the 16th day of July, 1955, the Farmers & Merchants Bank of Foley, Alabama, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against Agnes Henderson and Roby C. Henderson for the sum of ONE HUNDRED FORTY & 00/100 DOLLARS (\$140.00), of which the sum of EIGHTY & 00/100 DOLLARS (\$80.00) remains unpaid, and the further sum of EIGHT & 60/100 DOLLARS (\$8.60) cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that the Baldwin County Board of Education, Bay Minette, Alabama, and the Custodian of the Funds of the Baldwin County Board of Education, has or is believed to have in its possession or under its control, money or effects belonging to the defendants, or that it has or is believed to be indebted to the defendants, or is liable to them on a contract for 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.

Forest A. Christian

Sworn to and subscribed before me this the  
23rd day of February, 1956.

Alice J. Duck  
Clerk of Circuit Court, Baldwin County,  
Alabama.

80  
6  
4.80 -

84.80  
8.60  
93.40

State of Alabama  
BALDWIN COUNTY

TO AGNES HENDERSON & ROBY C. HENDERSON, Defendant S.:

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

THE FARMERS & MERCHANTS BANK OF FOLEY, Plaintiff.....

versus AGNES HENDERSON & ROBY C. HENDERSON, Defendant S.,

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

BOARD OF EDUCATION, Bay Minette, Alabama, & CUSTODIAN OF THE FUNDS OF THE BALDWIN COUNTY  
BOARD OF EDUCATION,

have been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 24th.....

day of February....., 1945.....

*Reinhold*  
Clerk of the Circuit Court.

Have executed the  
Notice of Garn. This  
17 day of May, 1956  
(Serving this notice  
on.

Agnes Henderson  
Rohy Henderson

8 mi E. of Loxley

Taylor Wilkins  
By Charles Childress

Sheriff claims 112 miles at

Ten Cents per mile Total \$ 11.20  
TAYLOR WILKINS, Sheriff

BY Charles Childress  
DEPUTY SHERIFF

Lillian Ala

# NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

THE FARMERS & MERCHANTS BANK OF FOLEY

Plaintiff.....

VS.

AGNES HENDERSON & ROHY C. HENDERSON

Defendant.....



