

3369

C. H. BRYARS, JR.,
Plaintiff,
vs.
N. R. DAWSON,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW.

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

WHEREAS, C. H. Bryars, Jr., Plaintiff, has commenced suit by summons and complaint returnable to the next term of the Circuit Court of Baldwin County, Alabama, against N. R. Dawson, for the sum of FOUR HUNDRED THIRTY-EIGHT AND 88/100 DOLLARS (\$438.88); and

WHEREAS, C. H. Bryars, Jr., has made affidavit, as required by law, that the said Defendant is indebted to him in the sum of FOUR HUNDRED THIRTY EIGHT AND 88/100 DOLLARS (\$438.88); that T. J. Davidson, Sr., is supposed to be indebted to said Defendant, or has effects of said Defendant in his possession, or under his control, and that he believes process of garnishment against the said T. J. Davidson, Sr., is necessary to obtain satisfaction of said claim and has given bond as required by law.

These are therefore to command you, that you summon the said T. J. Davidson, Sr., to be and appear at the next term of the Circuit Court of Baldwin County, Alabama, within thirty days from the service of this writ, then and there to answer on oath, whether at the time of the service of this writ of garnishment, or at the time of making his answer, he has in his possession, or under his control, any money or effects belonging to the Defendant; and whether he is indebted to said Defendant, or is liable to him on any contract for the payment of money or 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.

WITNESS my hand on this the 29th day of November, 1957.

Executed
Nov. 29, 1957

Reinhold A. Duck
Circuit Clerk.

C. H. BRYARS, JR.,

PLAINTIFF

VS

N. R. DAWSON

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

The Defendant for answer to the said Complaint, says that he has paid the promissory note, for the recovery of which this suit was brought, before the action was commenced.

Walters & Brantley

BY:

Albert M Brantley
Attorneys for the Plaintiff

The Defendant demands a trial by jury.

Walters & Brantley

BY:

Albert M Brantley
Attorneys for the Defendant

Filed Nov. 16, 1957
Alice J. Luck,
Clerk

C. H. BRYARS, JR.,

Plaintiff,

vs.

N. R. DAWSON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

STATE OF ALABAMA)

BALDWIN COUNTY)

Before me, the undersigned authority personally appeared C. H. Bryars, Jr., the Plaintiff in the above styled cause and who, first being duly and legally sworn deposes and says:

That N. R. Dawson is indebted to him in the sum of FOUR HUNDRED THIRTY EIGHT AND 88/100 DOLLARS (\$438.88), and that he has commenced suit by summons and complaint returnable to the next term of the Circuit Court of Baldwin County, Alabama, against the said N. R. Dawson, and that he believes the process of garnishment against T. J. Davidson, Sr., is necessary to obtain satisfaction of said claim, and that said T. J. Davidson, Sr., has, or is believed to have, in his possession, or under his control, monies or effects belonging to the Defendant, or that he is, or is believed to be indebted to the Defendant, or to be liable to him on a contract for the delivery of personal property, or which is payable in personal property.

C. H. Bryars Jr.

Sworn to and subscribed before me
on this the 29th day of November,
1957.

John R. O.
Notary Public, Baldwin County, Alabama.

Filed November 29, 1957

C. H. BRYARS, JR.,	}	
Plaintiff,	}	IN THE CIRCUIT COURT OF
vs.	}	BALDWIN COUNTY, ALABAMA
N. R. DAWSON,	}	AT LAW.
Defendant.	}	

STATE OF ALABAMA)
 *
 BALDWIN COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That we, C. H. Bryars, Jr., as Principal and Donald P. Cain and L. D. Owen, Sr, as sureties, are held and firmly bound unto N. R. Dawson, in the sum of EIGHT HUNDRED SEVENTY SEVEN and 76/100 DOLLARS (\$877.76) to be paid to the said N. R. Dawson, his heirs, executors, administrators or 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, severally and firmly by these presents:

SEALED with our seals and dated this 29th day of November, 1957.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That Whereas, the above bound C. H. Bryars, Jr., has commenced suit in the Circuit Court of Baldwin County, Alabama, by summons and complaint returnable to the next term of said Court, to recover of said N. R. Dawson, the sum of Four Hundred Thirty-eight and 88/100 Dollars (\$438.88) and has, on the day of the date hereof, prayed that writ of garnishment issue to T. J. Davidson, Sr., to answer on oath whether at the time of the service of the said writ of garnishment, or at the time of making his answer, he has in his possession, or under his control, any money or effects belonging to the Defendant, N. R. Dawson, and whether N. R. Dawson is indebted to said Defendant, or is liable to him on any contract for the payment of money or 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, and said Plaintiff having made affidavit as required by

law in such cases and by entering into this bond, has obtained the same, returnable to the next term of the Circuit Court of Baldwin County, Alabama.

NOW, if the said Plaintiff shall prosecute the garnishment to effect, and pay the Defendant all such costs and damages as he may sustain by reason of the wrongful or vexatious suing out of this garnishment, then this obligation to be void, otherwise to remain in full force and effect.

C. H. BRYARS, JR.

BY

R. O.

As his Attorney
As Principal.

Donald P. Cain

L. D. Brown Jr.

As Sureties.

Approved this 29th day of
November, 1957.

William J. Smith
Clerk.

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon N. R. DAWSON, 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 the same then and there to answer the complaint of C. H. BRYARS, JR.,

Witness my hand this 26 day of October, 1957.

Adrian J. Lewis
Clerk.

Defendant resides at
Fairhope, Alabama.

C. H. BRYARS, JR.,

Plaintiff,

vs.

N. R. DAWSON,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

The Plaintiff claims of the Defendant Three Hundred Seventy-five and no/100 Dollars (\$375.00), the balance due by Promissory Note made by him on the 3rd day of January, 1957, and payable on the 3rd day of April, 1957, with interest thereon from July 13, 1957. The Plaintiff avers that by the terms of the said note the Defendant agreed to pay a reasonable attorney's fee for collecting the said note, which attorney's fee Plaintiff avers to be Fifty-five and 25/100 Dollars(\$55.25), which he herewith claims.

John R. O.
Attorney for Plaintiff.

Filed Oct. 26, 1957
For Execution Oct. 28, 1957

SUMMONS AND COMPLAINT

C. H. BRYARS, JR.,
Plaintiff,

vs.

N. R. DAWSON,
Defendant.

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

FILED
OCT 23 1957
ALICE J. DUCK, Clerk

JAMES R. OWEN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

Received 26 day of Oct. 1957
and on 28 day of Oct. 1957
I served a copy of the within 5/2
on N. R. Dawson
By service on N. R. Dawson
TAYLOR WILKINS, Sheriff
D. S. 10 me