

3471

J. E. BALLARD,
PLAINTIFF
VS.
A. L. SUMMERLIN,
DEFENDANT

IN THE CIRCUIT COURT OF


BALDWIN COUNTY, ALABAMA

IN LAW

The plaintiff claims of the defendant the sum of \$168.80, the balance due by promissory note in the amount of \$184.80 made by him on the 8th day of February, 1957, and payable in twelve installments of \$15.40, the first installment due on March 5, 1957, and such remaining installments on the 5th day of each successive month thereafter until the indebtedness is paid in full.

The plaintiff further alleges that in and by the terms of said note, the defendant waived all rights of exemption under the laws of the State of Alabama, or of any other State, and plaintiff claims the benefit of such waiver.

The plaintiff further alleges that in and by the terms of said note, the defendant agreed to pay a reasonable attorney's fee in the collection of said note, and the plaintiff further claims the sum of \$25.00 as a reasonable attorney's fee in the premises.


Attorney for Plaintiff

Received on 6 day of Mar 1958
at 8 day of April 1958
served a copy of the within A.L. Summerlin

by service on A. L. Summerlin
TAYLOR WILKINS, Sheriff
By Spanish D. S.

Sheriff claims 44 miles at
Ten Cents per mile Total \$ 4.40
TAYLOR WILKINS, Sheriff
BY Spain
DEPUTY SHERIFF

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN LAW NO. 3471.

J. E. BALLARD,

PLAINTIFF

VS.

A. L. SUMMERLIN,

DEFENDANT

SUMMONS AND COMPLAINT

FILED
MAR 5 1958
ALICE A. BUCK, Clerk

J. CONNOR OWENS, JR.

ATTORNEY AT LAW

101 Court House Square

BAY MINETTE, ALABAMA

Defendant lives at Spanish

Fort, Alabama

The State of Alabama,
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

June 9, 1958 TERM, 1958

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular June Term, 1958, of the Circuit Court of Baldwin County,
to-wit: On the 17th day of June, 1958, being a regular day of
said term, J. E. Ballard
recovered judgment against A. L. Summerlin

for the sum of One hundred and ninty-three and 80/100 Dollars, and cost of suit,
and affidavit having been made by J. Connor Owens, Jr.
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the
following named persons or corporations, viz:

International Paper Company, a corporation, Southern Kraft
Division

has or is believed to have in its possession, or under its control money
or effects belonging to said defendant it or that it is, or
is believed to be indebted to said defendant it 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

International Paper Company, a corporation, Southern Kraft
Division

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 within 30 days of the service hereof
~~four days after the service hereof~~ 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 its answer, or at any time intervening the time of serv-
ing the garnishment, and making the answer it was it indebted to said defendant
it and whether it will not be indebted in future to said defendant
it by a contract then existing, and whether by a 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 A. L. Summerlin

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

Witness, ALICE J. DUCK, Clerk of said Court, this 26 day of June, A. D., 58.

Issued day of A. D., 19 .

ATTEST:

Alice J. Duck, Clerk.

State of Alabama

BALDWIN COUNTY

TO A. L. Summerlin, Defendant:

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

J. E. Ballard, Plaintiff,versus A. L. Summerlin, Defendant,

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

International Paper Company, a corporation, Southern Kraft Division
has been named as Garnishee.....IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 26day of June, 1948.W. J. J. J. J.
Clerk of the Circuit Court.

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT OF SAID COUNTY
CIVIL NO. _____

AFFIDAVIT IN GARNISHMENT

Before me, Alice J. Duck, Clerk of the Circuit Court, in and for said County, personally appeared J. Connor Owens, Jr., attorney of record for J. E. Ballard, who, being duly sworn, did depose and say as follows: That he is attorney of record in that certain suit in Baldwin County, Alabama, styled J. E. Ballard vs. A. L. Summerlin, and that on the 17th day of June, 1958, the plaintiff, J. E. Ballard, recovered judgment of the defendant, A. L. Summerlin, in the amount of \$193.80 and costs thereof, and that International Paper Company, a corporation, Southern Kraft Division, is supposed to be indebted to the said defendant or to have effects of the said defendant in its possession or under its control, that he believes that the process of garnishment against the said International Paper Company, a corporation, Southern Kraft Division, is necessary to obtain satisfaction of said claim; and that the said International Paper Company, a corporation, Southern Kraft Division, is believed to be chargeable as Garnishee in said cause; and that this Writ is not sued out for the purpose of vexing or harassing said defendant, or other improper motives.

J. Connor Owens Jr.

Sworn to and subscribed before me on this the 26 day of June, 1958.

Alice J. Duck
Clerk, Circuit Court