

J. P. GIBBONS, INCORPORATED,  
A Corporation.

Plaintiff

-VS-

R. V. PORTER,

Defendant

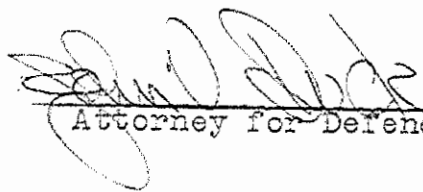
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

LAW SIDE.

3486

A N S W E R

Comes now the Defendant R. V. Porter, and for answer to the said Bill of Complaint in the above styled cause says he has paid the debt or demand for the recovery of which this suit was brought, before this action was commenced.



Attorney for Defendant

STATE OF ALABAMA     )  
                              )  
BALDWIN COUNTY        )     IN THE CIRCUIT COURT - LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon R. V. Porter to appear within thirty days from the service of the 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 J. T. Gibbons, Inc., a corporation.

Witness my hand this 27 day of March, 1958.

*Reid J. French*  
Clerk.

J. T. GIBBONS, INC., A Corporation,	¶	
	¶	IN THE CIRCUIT COURT OF
Plaintiff,	¶	
	¶	BALDWIN COUNTY, ALABAMA
vs.	¶	
	¶	LAW SIDE.
R. V. PORTER,	¶	
Defendant.	¶	

COUNT ONE:

The Plaintiff claims of the Defendant the sum of Nine Thousand Dollars (\$9,000.00) due by Promissory Note made by him on the 7th day of December, 1955, and payable on the 2nd day of August, 1957, with interest thereon.

The Plaintiff alleges that in and by the terms of said 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, whether the same be collected or secured by suit or otherwise and the Plaintiff claims of the Defendant the additional and further sum of Nine Hundred Dollars (\$900.00) as a reasonable attorney's fee.

The Plaintiff further alleges that the Defendant in and by the terms of said note waived as to the debt evidenced thereby, or any renewal thereof, all rights of exemption under the Constitution and Laws of Alabama as to personal property, and the Plaintiff claims

the benefit of such waiver.

CHASON & STONE

By:   
Attorneys for Plaintiff.

*Robert Dale, Ala*

*26* day of *March* 19*58*.  
and on *12* day of *April* 19*58*  
I served a copy of the within *R.V. Porter*  
on *R.V. Porter*

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By *Edleigh Steadham* D. S.

*Robert Dale, Ala*

Sheriff claims *50* miles at  
Ten Cents per mile Total \$ *5.00*  
TAYLOR WILKINS, Sheriff  
BY *Steadham*  
DEPUTY SHERIFF

J. T. GIBBONS, INC., A  
Corporation,

Plaintiff,

vs.

R. V. PORTER,

Defendant

\*\*\*\*\*

SUMMONS AND COMPLAINT

\*\*\*\*\*

RECORDED

FILED

MAR 27 1958

ALICE J. DUCK, Clerk

LAW OFFICES  
CHASON & STONE  
BAY MINETTE, ALABAMA

J. T. GIBBONS, INC.  
A Corporation

Plaintiff

-VS-

R. V. PORTER

Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE

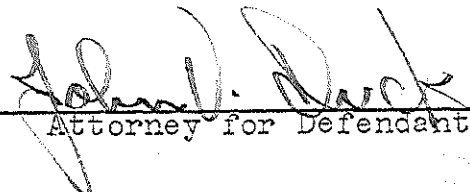
DEMURRERS

Comes now the Defendant in the above style cause and demurs to the Complaint filed in said cause and assigns the following separate and several grounds, viz;

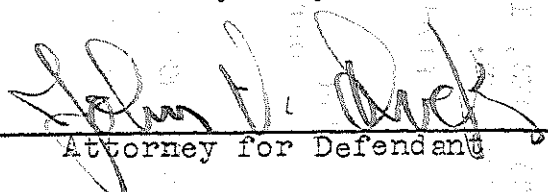
(1) That said Count one fails to allege to whom the Promissory Note was made payable or how the said Plaintiff holds or obtained said Promissory Note.

(2) That said Count One fails to allege to whom said Promissory Note was made payable.

(3) That said Complaint does not state a cause of action.

  
Attorney for Defendant

The Defendant demands a trial of this cause by Jury.

  
Attorney for Defendant

March 8, 1967

Mr. J. T. Gibbons  
c/o Hon. Chason, Stone & Chason VS.  
Attorneys at Law  
Bay Minette, Alabama

J. T. Gibbons, Inc.

R. V. Porter

Civil Court, No. 3486

Dear Sir:

This office holds an execution against you in the above styled case for court cost in the amount of \$ 20.95. I will appreciate you sending this amount within the next ten days so I will not have to send a deputy to see you and thereby add additional cost.

Thanking you for your assistance.

Yours very truly,

Taylor Wilkins, Sheriff

By: Bernice Jindal

J. T. GIBBONS, INC.,	X	
a corporation,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
R. V. PORTER,	X	AT LAW NO: 3486
	X	
Defendant.	X	

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND  
TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE THEREOF:

Comes now the Plaintiff in the above styled cause, by  
and through its Attorneys of Record, and shows unto Your Honor  
and unto this Honorable Court as follows:

1. That the Plaintiff owns a judgment obtained in this  
Court in case number 3486 on the 11th day of September, 1958 for  
the sum of Nine Thousand One Hundred Eighty-one Dollars and Ninety-  
one Cents (\$9,181.91) plus Nineteen Dollars and Thirty-five Cents  
(\$19.35) costs of court against the above named R. V. Porter;  
that said judgment contains a waiver of exemptions and no payments  
have been made on said judgment and the same remains unpaid and  
unsatisfied in full.

2. That ten (10) years will have elapsed within the near  
future since the rendition of said judgment, original execution  
having been issued on the 8th day of October, 1958.

WHEREFORE, Plaintiff prays that a Writ of Scire Facias  
issue out of this Court, requiring the Defendant to show cause,  
if any, within thirty (30) days after service of such writ, why  
said judgment should not be in all things revived and execution  
issued on the same, and that upon the hearing of this petition,  
if no legal reason be shown why said judgment should not be revived

and same be entered with provisions for execution.

CHASON, STONE & CHASON

By: John Earle Chason  
Attorneys for Plaintiff.

\* \* \* \* \*

ORDER

Upon consideration of the foregoing petition, it is the opinion of the Court that the same is due to be granted and it is, therefore

ORDERED that a Writ of Scire Facias issue by the Clerk of this Court to the said R. V. Porter in manner and form as provided by law.

Done this 29<sup>th</sup> day of July, 1968.

Joseph P. Madlibury  
Circuit Judge

FILED

JUL 29 1968

ALICE J. DUCK

CLERK  
REGISTER



STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE, CASE NO: 3486

BALDWIN COUNTY

TO THE SHERIFF OF SAID COUNTY, GREETINGS:

You are hereby commanded to forthwith serve the within  
Writ personally on the Defendant, R. V. Porter.

Witness my hand this 29 day of July, 1968.

*Rebecca J. Moore*  
Clerk, Circuit Court of Baldwin  
County, Alabama.

J. T. GIBBONS, INC.,  
a corporation,  
  
Plaintiff,

vs.

R. V. PORTER,  
  
Defendant.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO: 3486

TO: R. V. PORTER:

You will take notice that the Plaintiff in the above  
styled cause has filed a petition in the Circuit Court of Baldwin  
County, Alabama, to revive a judgment entered on September 11,  
1958 against you for the sum of Nine Thousand One Hundred Eighty-  
one Dollars and Ninety-one Cents (\$9,181.91) and costs of suit.

NOW, THEREFORE, you are hereby notified to show cause,  
if any you have, why said judgment should not be revived against  
you within thirty (30) days after the date of service hereof.

Witness my hand this 29 day of July, 1968.

FILED

JUL 29 1968

ALICE J. DUBOY

CLERK  
REGISTER

CLERK  
REGISTER

*Rebecca J. Moore*  
Clerk, Circuit Court of Baldwin  
County, Alabama