

3529

S U M M O N S

THE STATE OF ALABAMA)	IN THE CIRCUIT COURT OF
	:	BALDWIN COUNTY, ALABAMA
COUNTY OF BALDWIN)	AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA - - - - - GREETING:
You are hereby commanded to summons ROY DUKES to appear before the
Circuit Court, to be held for said County at the place of holding
same, within thirty (30) days from service of this process, then
and there to answer the complaint of HAMLIN'S WIZARD OIL COMPANY.
Witness my hand this 5 day of May, 1958.

Archie J. Buck
CLERK

C O M P L A I N T

HAMLIN'S WIZARD OIL COMPANY,)	IN THE CIRCUIT COURT OF
a corporation	:	
PLAINTIFF)	BALDWIN COUNTY, ALABAMA
VS)	
	:	AT LAW
ROY DUKES)	
DEFENDANT	:	
	I.	

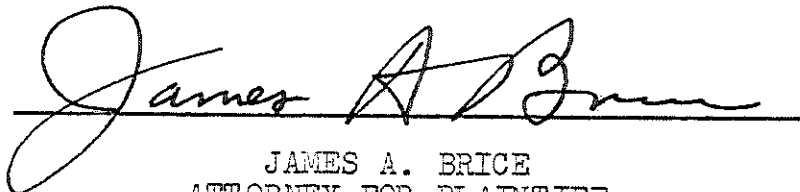
The plaintiff claims of the defendant the sum of Four Hundred Twenty-five & 50/100 Dollars (\$425.00), due by promissory notes made by the defendant on the 25th day of January, 1955, (\$175.00); on January 9th, 1954, (\$130.00); on April 26th, 1955, (\$120.00), and endorsed by the said Magnolia Land Company to the plaintiff, for value, with interest from the 1st day of January, 1955 for the \$175.00 note; from the 1st day of January, 1954, for the \$130.00 note; from January 1st, 1955, on the \$120.00 note. All notes will bear interest at the rate of Six per cent. (6%) per annum.

II.

The plaintiff claims of the defendant the sum of Four Hundred Twenty-five & 50/100 Dollars (\$425.00), due by promissory notes made by the defendant on the 25th day of January, 1955, (\$175.00); on January 9th, 1954, (\$130.00); on April 26th, 1955, (\$120.00), and endorsed by the said Magnolia Land Company to the plaintiff, for value, with interest from the 1st day of January, 1955, for the \$175.00 note; from the 1st day of January, 1954, for the \$130.00 note; from January 1st, 1955, on the \$120.00 note. All notes will bear interest at the rate of Six per cent. (6%) per annum.

Plaintiff avers that in and by the terms of the said note the defendant waived all right to exemption under the Constitution and Laws of Alabama as to personal property and of this waiver plaintiff now claims benefit.

Plaintiff further avers that in and by the terms of said notes, 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, and the plaintiff further claims of the defendant the further and additional sum of One Hundred [&] NO/100 Dollars (\$100.00), as such reasonable attorney's fee.


JAMES A. BRICE
ATTORNEY FOR PLAINTIFF

Mr. Roy Dukes, Defendant resides
in Foley, Alabama

Exhibited May 8, 1958

ERNEST M. BAILEY
ATTORNEY AT LAW
221 FAIRHOPE AVENUE
FAIRHOPE, ALABAMA
PHONE WA 8-9759

April
30th
1958

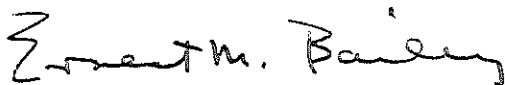
Clerk of Circuit Court
of Baldwin County,
Bay Minette, Alabama

Dear Mrs. Duck:

I am enclosing herewith Bill of Complaint and other papers for a Detinue action as styled. The sureties on the bond, as well as the Plaintiff, are all property owners in Baldwin County.

I will appreciate your filing the same and forward to the Sheriff.

Very truly yours,



Ernest M. Bailey
EMB:b
Enclosures