

JAMES A. BRICE

ATTORNEY AT LAW

FOLEY, ALABAMA

POST OFFICE BOX 298

September 19, 1958

WHITEHALL 3-3601

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Re: Perfection Mattress and Spring Company
Vs: J. H. Hollis
Law 3582

Dear Mrs. Duck:

I enclose the promissory note which is the basis and foundation of this suit. Please take a judgment by default against J. H. Hollis for \$234.90 interest, \$652.50 principal, and \$130.00 attorney's fees, a total of \$1,017.40.

Mr. Hollis is at present operating a used furniture store in Foley, Alabama. I trust you will pass this information along to Sheriff Wilkins when the judgment is forwarded to him. Please send us a copy of the judgment.

Thank you.

Sincerely,



JAMES A. BRICE

JAB:bp

Enclosure

INSTALLMENT NOTE.

\$902.50

Opelika, Ala., July 28th. 1952

On December 1st. 1952 we promise to pay to the order of Perfection Mattress & Spring Company, of Birmingham, Ala. the sum of

Nine Hundred, Two & 50/100 Dollars

with interest at the rate of 6% per annum after date, said amount to be paid in equal amounts on the following dates:-

August 4th. 1952	\$50.00 <i>Pd</i>	October 6th. 1952	\$50.00
" 11th. 1952	50.00 <i>Int.</i>	" 13th. 1952	50.00
" 18th. 1952	50.00 <i>Int.</i>	" 20th. 1952	50.00
" 25th. 1952	50.00 <i>Int.</i>	" 27th. 1952	50.00
Sept. 1st. 1952	50.00 <i>Int.</i>	November 3rd. 1952	50.00
" 8th. 1952	50.00	" 10th. 1952	50.00
" 15th. 1952	50.00	" 17th. 1952	50.00
" 22nd. 1952	50.00	" 24th. 1952	50.00
" 29th. 1952	50.00	December 1st. 1952	52.50

It is hereby expressly agreed that upon default in payment of any one of said installments, which default shall extend over a period of more than ten (10) days, then all subsequent installments on this note, with interest, shall at once become due and payable at the option of the legal holder thereof without demand or notice, demand and notice being hereby expressly waived. The makers, endorsers and all guarantors of this note severally waive demand, protest and presentation for payment and notice of ~~payment~~ non-payment and protest, and also waive any and all defenses on the ground of any extensions or partial payment which may be granted or accepted by the holder before or after the maturity of this note or any part thereof.

We also agree that if proceedings are commenced to collect this note by process of law, then a reasonable attorney fee shall be allowed and included in the judgement thereon. For value received,

Witness:-

Hollis Appliance & Furniture Co.,

J. W. Lattinwhite

By *J. H. Hollis*

JAMES A. BRICE

ATTORNEY AT LAW

FOLEY, ALABAMA

POST OFFICE BOX 298

July 18, 1958

WHITEHALL 3-3601

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Re: Perfection Mattress Company
Vs: J.H. Hollis
Law # 3582

Dear Mrs. Duck:

Please take a judgment against defendant
August 1, 1958.

We wish to allow him some time in which
to make payment, but cannot delay our client's
interests past August 1st.

Thank you.

Sincerely,


James A. Brice

JAB:ecg

cc: Mr. J.H. Hollis
Foley, Alabama

Note:

Never more time

JAMES A. BRICE

ATTORNEY AT LAW

FOLEY, ALABAMA

POST OFFICE BOX 298

June 13, 1958

WHITEHALL 3-3601

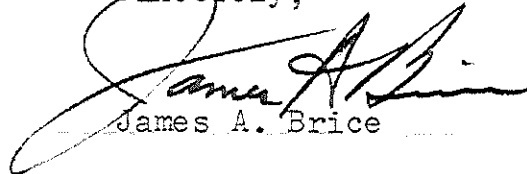
Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Dear Mrs. Duck:

I am enclosing summons and complaint
with \$20.00 cost deposit, all on behalf of
plaintiff, Perfection Mattress and Spring
Company vs. J.H. Hollis.

Thank you.

Sincerely,



James A. Brice

JAB:ecg

cc: Mr. J.H. Hollis
Foley, Alabama

S U M M O N S

THE STATE OF ALABAMA)
COUNTY OF BALDWIN)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA ----- GREETINGS:

You are hereby commanded to summons J.H. Hollis, individually and d/b/a Hollis Appliance & Furniture Company, 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 Perfection Mattress and Spring Company, a corporation.

Witness my hand this hand this 17 day of June, 1958.

Rebecca J. Newkirk
CLERK

C O M P L A I N T

PERFECTION MATTRESS AND SPRING)
COMPANY, a corporation)

vs)

J.H. HOLLIS, individually and d/b/a)
Hollis Appliance & Furniture Company)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

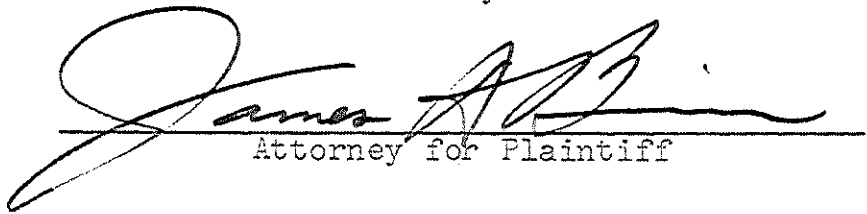
I.

The plaintiff claims of the defendant the sum of Six Hundred Fifty-two & 50/100 (\$652.50) Dollars, due by promissory note made by the defendant on the 28th day of July, 1952, and payable on the 8th day of September, 1952, with interest from 28th day of July, 1952, at the rate of Six per cent. (6%) per annum.

II.

The plaintiff claims of the defendant the sum of Six Hundred Fifty-two & 50/100 (\$652.50) Dollars, due by promissory note made by the defendant on the 28th day of July, 1952, and payable on the 8th day of September, 1952, with interest from 28th day of July, 1952, at the rate of Six per cent. (6%) per annum.

Plaintiff further avers 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, and the plaintiff further claims of the defendant the further and additional sum of One Hundred Thirty & NO/100 (\$130.00) Dollars, as such reasonable attorney's fee.


Attorney for Plaintiff

The defendant, J.H. Hollis,
resides at Foley, Alabama.

LAW OFFICES
JAMES A. BRICE
FOLEY, ALABAMA

JAMES A. BRICE
RICHARD C. LACEY

P. O. Box 298
WHITEHALL 3-3601

December 18, 1959

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Re: Perfection Mattress & Spring Co.
vs: J. H. Hollis, individually and
d/b/a Hollis Appliance Company

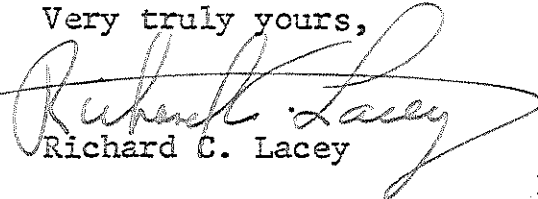
Dear Mrs. Duck:

Please refer to our letter of September 21, 1959.

The judgment in subject case has been satisfied.
Please send us a cost bill.

Thank you.

Very truly yours,



Richard C. Lacey

RCL/vd

State of Alabama

BALDWIN COUNTY

TO J. H. Hollis, Defendant:

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

PERFECTION MATTRESS AND SPRING CO., Plaintiff,

versus J. H. HOLLIS, Defendant,

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

FARMERS AND MERCHANTS BANK OF FOLEY. ALABAMA

has been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 2nd.....

day of September, 194⁵⁹

Clerk of the Circuit Court.

E.V. 9-4-59

052

JAMES A. BRICE

ATTORNEY AT LAW

FOLEY, ALABAMA

POST OFFICE BOX 298

September 21, 1959

WHITEHALL 3-3601

35-82 1/2

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

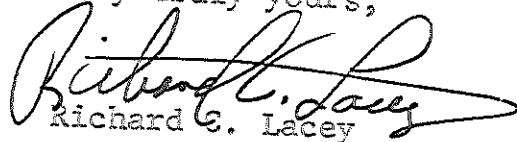
Re: Perfection Mattress & Spring Co.
vs. J. H. Hollis, individually and
d/b/a Hollis Appliance Furniture Co.

Dear Mrs. Duck:

Please release attachment against Farmers & Merchants
Bank and make record that Judgment has been satisfied.

Please send us a cost bill in subject case.

Very truly yours,


Richard E. Lacey

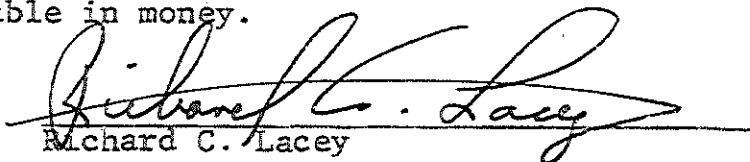
RCL/vd

A F F I D A V I T


STATE OF ALABAMA)

COUNTY OF BALDWIN)

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for said County, Richard C. Lacey, who being duly sworn, deposes and says: That Perfection Mattress and Spring Company, a corporation, at the Fall Term, A. D., 1958, of the Circuit Court of Baldwin County, recovered a judgment against J. H. Hollis, individually and d/b/a Hollis Appliance Furniture Company, for the sum of One Thousand Seventeen and 40/100 (\$1,017.40) Dollars and the further sum of Nineteen and 15/100 (\$19.15) Dollars, cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that The Farmers and Merchants Bank of Foley, Alabama, has or is believed to have in its possession or under its control, money or effects belonging to the Defendant, or that it is or is believed to be indebted to the Defendant, which may be discharged by the delivery of personal property, or which is payable in money.


Richard C. Lacey

Sworn to and subscribed before me
on this the 2 day of Sept,
1959.



Clerk of the Circuit Court of Baldwin County, Alabama

A F F I D A V I T

STATE OF ALABAMA)

COUNTY OF BALDWIN)

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for said County, Richard C. Lacey, who being duly sworn, deposes and says: That Perfection Mattress and Spring Company, a corporation, at the Fall Term, A. D., 1958, of the Circuit Court of Baldwin County, recovered a judgment against J. H. Hollis, individually and d/b/a Hollis Appliance Furniture Company, for the sum of One Thousand Seventeen and 40/100 (\$1,017.40) Dollars and the further sum of Nineteen and 15/100 (\$19.15) Dollars, cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that The Farmers and Merchants Bank of Foley, Alabama, has or is believed to have in its possession or under its control, money or effects belonging to the Defendant, or that it is or is believed to be indebted to the Defendant, which may be discharged by the delivery of personal property, or which is payable in money.


Richard C. Lacey

Sworn to and subscribed before me
on this the ____ day of _____,
1959.

Clerk of the Circuit Court of Baldwin County, Alabama

FILED
226 57 1020

FILED

226 57 1020