

3699

SUMMONS

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon HILARY H. JERNIGAN, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, Alabama, at the place of holding same by GULF TELEPHONE EMPLOYEES COOPERATIVE TRUST FUND, Foley, Alabama, an Unincorporated Association.

Witness my hand this the 6 day of November, 1958.

Alice S. Luck  
Clerk

CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

COMPLAINT

GULF TELEPHONE EMPLOYEES	)	
COOPERATIVE TRUST FUND,	)	
Foley, Alabama, an	)	
Unincorporated Association	)	IN THE CIRCUIT COURT OF
	)	
PLAINTIFF	)	BALDWIN COUNTY, ALABAMA
	)	
VS:	)	AT LAW
	)	
HILARY H. JERNIGAN	)	
	)	
DEFENDANT	)	

The plaintiff claims of the defendant FOUR HUNDRED FIFTY FIVE & 00/100 DOLLARS (\$455.00), due by promissory note made by him on the 7th day of May, 1955, and payable on the 7th day of May, 1956, with interest thereon.

Said note provides for a reasonable attorneys fee, which plaintiff alledges to be \$90.00.

Julius C. Clark  
Attorney for Plaintiff

*Entered Feb 28, 1959*  
*Filed Nov. 6, 1958*

Received 6 day of Nov 1958  
and on    day of    19    
I served a copy of the within BCC  
Mary H. Jernigan

By service on   

TAYLOR WILKINS, Sheriff

By    D. S.

Sheriff claims 22 miles at

Toll Carriage per mile Total \$ 7.20

TAYLOR WILKINS, Sheriff

BY     
DEPUTY SHERIFF

Arrived 5 day of Jan 1959  
I went to my county after diligent search and in-

Received 26 day of Jan 1959

and on 28 day of Feb 1959

I served a copy of the within BCC

on Mary H. Jernigan

By service on   

TAYLOR WILKINS, Sheriff

By   

3699

SUMMONS AND COMPLAINT

GULF TELEPHONE EMPLOYEES  
COOPERATIVE TRUST FUND

VS:

HILARY H. JERNIGAN

FILED

NOV 10 1958

ALICE J. DUCK, CLERK  
REGISTER

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

## BOND

The State of Alabama, }  
Baldwin County

## CIRCUIT COURT

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, GULF TELEPHONE EMPLOYEES COOPERATIVE TRUST FUND, and  
GULF TELEPHONE COMPANY, an Alabama Corporation and JOHN SNOOK

are held and firmly bound unto HILARY H. JERNIGAN

in the sum of TWELVE HUNDRED & 00/100 (\$1200.00) DOLLARS,

to be paid to the said HILARY H. JERNIGAN

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 6th day of NOVEMBER, 1958.

THE CONDITION OF THE ABOVE OBLIGATION IN SUCH, That whereas, the above bound

GULF TELEPHONE EMPLOYEES COOPERATIVE TRUST FUND

has commenced suit in the Circuit Court of said County by summons and complaint, which have issued from said Court, to recover of said HILARY H. JERNIGAN

the sum of SIX HUNDRED & 00/100 (\$600.00) Dollars,

and have on the day of the date hereof, prayed that Writ of Garnishment issue out of said Court to

L. Irwin & Son

summoning ~~h~~ them to answer what ~~they are~~ they are indebted to said Defendant, or what effects of said Defendant ~~they~~ they have in ~~their~~ their possession, or under ~~their~~ their control; and said Plaintiff having made oath as required by law in such cases, said Writ is about to issue out of said Court, returnable to the next Term of the Circuit Court, to be holden for Baldwin County.

NOW, if the said Plaintiff shall prosecute the Garnishment to effect, and pay the Defendant all such costs and damages as ~~he~~ 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.

AND WE, and each of us, hereby waive all rights of claim of exemption we, or either of us have now, or may hereafter have, under the Constitution and laws of Alabama, and ~~we~~ we hereby severally certify that ~~we~~ we have property free from all incumbrance, to the full amount of the above bond.

GULF TELEPHONE EMPLOYEES COOPERATIVE TRUST FUND

BY: [Signature] (Seal)  
GULF TELEPHONE COMPANY, An Alabama Corp.

BY: [Signature] (Seal) 1795  
[Signature] (Seal)  
Individually

Approved this 6 day of Nov A. D., 1958

The State of Alabama }  
Baldwin County

Before me, ALICE J. DUCK, Clerk of Circuit Court,

in and for said County, personally appeared Forest A. Christian, ~~Notary~~

who, being duly sworn, doth depose S. and say S. that Hilary H. Jernigan is  
indebted to GULF TELEPHONE EMPLOYEES COOPERATIVE TRUST FUND

indebted to \_\_\_\_\_ in the sum of SIX HUNDRED (\$600.00) Dollars,

and that they have commenced on suit by summons and complaint on said indebtedness  
against the said Hilary H. Jernigan

and that L. Irwin & Son

supposed to be indebted to the said Defendant, or to have effects of the said Defendant, in their  
possession, or under their control, and that they believe that process of Garnishment against the said  
L. Irwin and Son

is necessary to obtain satisfaction of said claim; and that the said L. Irwin & Son  
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.

Sworn to and subscribed before me this 6 day of Nov 1948  
Alice J. Duck Clerk Circuit Court.

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No. 2699

THE STATE OF ALABAMA  
Baldwin County.

CIRCUIT COURT

Gulf Telephone

Plaintiff

TO

Hilary H. Jernigan

Defendant

Bond and Affidavit in Garnishment  
on Summons

Filed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

NOV 10 1948

Alice J. Duck Clerk.

Printed by Moore Ptg. Co.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama—Greeting:

Whereas, GULF TELEPHONE EMPLOYEES COOPERATIVE TRUST FUND

has commenced suit by Summons and Complaint returnable to the next term of the Circuit Court of said

County, against HILARY H. JERNIGAN

for the sum of \$600.00 (which includes interest and/ attorney's fee) Dollars and whereas, the said

GULF TELEPHONE EMPLOYEES COOPERATIVE TRUST FUND

has entered into bond, and made affidavit as required by law that the said

HILARY H. JERNIGAN

is indebted to it in the sum of \$600.00

Dollars, and that process of garnishment is believed to be necessary to obtain satisfaction of such judgment

as may be recovered by Plaintiff, and that L. Irwin & Son, Foley, Alabama

is believed to be chargeable as garnishee in the cause.

YOU ARE THEREFORE, commanded to summon the said L. Irwin & Son

to be and appear at the next term of the Circuit Court, to

be holden for the County of Baldwin, ~~xxx~~ thirty days from date ~~19xxx~~, then and there to answer, upon oath, whether, at the time of the service of this garnishment, or at the time of making your answer, or at any time intervening between the time of serving the garnishment and making the answer, you were indebted to the defendant, and whether, you will not be indebted to him in the future by a contract then existing, and whether by a contract then existing, you are liable to him 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 you have not in your possession or under your control money or effects belonging to the defendant.

Witness my hand this 6th day of NOVEMBER, 1958.

Received 6 day of Nov 1958  
d on 6 day of Nov 1958  
served a copy of the within wait  
in L. David & Son  
Francis Brown  
By service on

TAYLOR WILKINS, Sheriff  
By L. David & Son D.

July

Sheriff claims 72 miles at

Ten Cents per mile Total \$ 7.20

TAYLOR WILKINS, Sheriff

BY July  
DEPUTY SHERIFF

No. 3699

Circuit Court of Baldwin County

Gulf Telephone

VS. { GARNISHMENT ON SUMMONS

Hilary J. Ferguson

FILED

Issued Nov 6 1958

ALICE J. DUCK, CLERK  
REGISTER

Plaintiff's Attorney

State of Alabama

BALDWIN COUNTY

TO HILARY H. JERNIGAN, Defendant.....

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of.....  
GULF TELEPHONE EMPLOYEES COOPERATIVE TRUST FUND, Plaintiff.....

versus HILARY H. JERNIGAN, Defendant.....

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

L. IRWIN & SON

has been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 6th  
 day of November, 1948

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Alvin J. Tucker  
 Clerk of the Circuit Court.

NOTE

\$630.00

Foley, Alabama

May 7, 1955

I promise to pay to the order of GULF TELEPHONE EMPLOYEES COOPERATIVE TRUST FUND, Foley, Alabama, for value received, SIX HUNDRED THIRTY & 00/100 DOLLARS (\$630.00), due and payable in monthly installments as follows: \$10.00 due and payable on or before the 25th day of May, 1955, and \$10.00 due and payable on or before each and every month thereafter, with interest thereon at the rate of six per cent (6%) per annum, payable monthly, from ~~date~~ <sup>Maturity</sup> until paid.

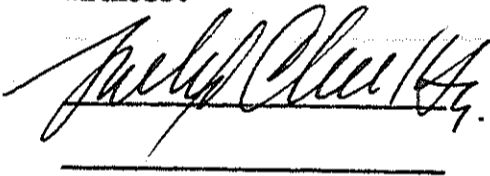
In the event that any of said monthly installments are not paid when due, then the whole of the amount being unpaid shall immediately become due and payable.

This note is payable at the office of Forest A. Christian, Attorney, Foley, Alabama.

As to this debt, I hereby waive all right of exemption under the Constitution and laws of the State of Alabama, and agree to pay all costs of collecting, securing or attempting to collect or secure this note, including a reasonable attorney's fee.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year first above written.

Witness:



 (SEAL)  
Hilary H. Jernigan

July 11-1955- paid 20.00 by Postdated Check  
to July 22, 1955-

Sept 14, 1955 Paid 95.00

(a)

Oct. 25, 1955 Paid \$35.00 by Check. (a)

Jan 26, 1956 paid 30.00 by Elbale Check ~~for~~  
settled with July Tel. Co. #41574

May 26-56 - paid 50.00 by ck-

January 7-58- paid 10.00 by Cash-

Feb. 5-57 Paid 15.00 by Cash.

~~Feb. 5-57 Paid by Check No. 5708, Jan. 30, 1958 for \$60.00~~ (a)

March 3-1958 - Rec. ck made payable to  
Tel Co - for 10.00 from Wm. &  
Tel Co.

History  
Jenavagan

Jenavagan

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

January 24, 1959

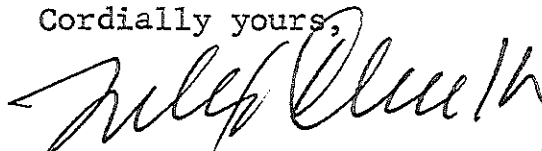
Mrs. Alice J. Duck  
Clerk of Court  
Bay Minette, Alabama

Dear Mrs. Duck:

Kindly send the Summons & Complaint in the case of  
Gulf Telephone Company vs. Hiliary Jernigan, which was  
filed back in November in the Sheriff's office, so it may  
be forwarded to Carlisle Childress for service on Jernigan.

With best wishes, I am,

Cordially yours,

A handwritten signature in dark ink, appearing to read "Forest A. Christian", written in a cursive style.

FOREST A. CHRISTIAN

cc: Sheriff