

3743

MRS. W. F. POPE,  
Ind. d/b/a FAIRWOOD  
GROCERY.

Plaintiff

-VS-

MRS. THOMAS KERVIN

Defendant

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

BILL OF COMPLAINT

COUNT ONE:

The Plaintiff claims of the Defendant the sum of ONE HUNDRED FIFTY SIX and 88/100(\$156.88)DOLLARS, due from her by account on the 5th day of July, 1958, which sum of money, together with the interest thereon, is still unpaid

COUNT TWO:

The Plaintiff claims of the Defendant the sum of ONE HUNDRED THREE and 55/100(\$103.55)DOLLARS, due by Promissory Note made by her on the 14th day of January, 1958, and payable on the 14th day of May, 1958, together with the interest thereon.

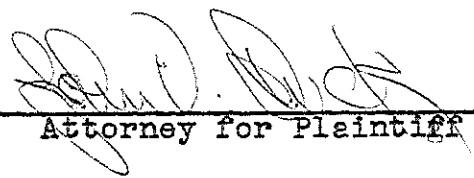
Plaintiff further avers that in, by, and as a part of said note, the Defendant agreed to pay all costs of collecting, or securing or attempting to collect or secure such debt, including a reasonable Attorney's fee, whether the same be collected or secured by suit or otherwise and the Plaintiff further claims of the Defendant the further and additional sum of TWENTY (\$20.00)DOLLARS, as a reasonable attorney's fee.

Plaintiff further avers that in, by, and as a part of said note the Defendant waived as to this debt or any renewal thereof, all rights to exemptions under the Constitution and Laws of Alabama as to personal property and of this waiver the Plaintiff now claims the benefit.

COUNT THREE:

Plaintiff claims of the Defendant the sum of TWENTY THREE and 50/100(\$23.50)DOLLARS, due from her by checks drawn on the Bank of Fairhope, of Fairhope, Alabama, and signed by the Defendant, which checks were duly presented to the Bank upon which same was drawn, and was returned dishonored by that Bank on account of insufficient funds; and that said check was given as part payment of the Promissory Note and open account sued on in

count one and two, which sum of money, together with the interest thereon, is still unpaid.

  
Attorney for Plaintiff

Defendant resides at Grant St.  
Fairhope, Alabama.

MRS. W. F. POPE,  
Ind. d/b/a FAIRWOOD GROCERY

Plaintiff

-VS-

MRS. THOMAS KERVIN

Defendant

-----  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. \_\_\_\_\_

\_\_\_\_\_ TERM, 19\_\_\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon MRS. THOMAS KERVIN

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, State of Alabama, at Bay Minette, against \_\_\_\_\_

MRS. THOMAS KERVIN

\_\_\_\_\_, Defendant...

by MRS. W. F. POPE, Ind. d/b/a FAIRWOOD GROCERY.

\_\_\_\_\_, Plaintiff...

Witness my hand this 15 day of Jan 1959

Deputy Clerk, Clerk

Quoted 1-16-59

405 Bond Ave.  
No. 3743 Page \_\_\_\_\_

The State of Alabama  
Baldwin County

CIRCUIT COURT

MRS. W. F. POPE,

Ind. d/b/a FAIRWOOD GROCERY

Plaintiffs

vs.

MRS. THOMAS KERVIN

405 Bond Ave.

Defendants

Summons and Complaint

Filed \_\_\_\_\_ 19\_\_\_\_

FILED

JAN 10 1959

ALICE J. DUCK, CLERK  
REGISTER

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at  
Grant St. Fairhope, Ala.

Received In Office

1/16 1959

\_\_\_\_\_, Sheriff

I have executed this summons

this 26 Feb 1959

by leaving a copy with

Mrs Thomas Kervin

Sheriff claims 20 miles at

Ten Cents per mile Total \$ 2.00

TAYLOR WILKINS, Sheriff

BY Taylor Wilkins  
DEPUTY SHERIFF

Taylor Wilkins Sheriff

J. H. Jones Deputy Sheriff  
J. H. Jones

State of Alabama

BALDWIN COUNTY

TO Mrs. Thomas Kervin, Defendant:

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

Mrs. W. F. Pope, Inc d/b/a Fairhope Grocery, Plaintiff,versus Mrs. Thomas Kervin, Defendant,

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

GRAND HOTEL DEVELOPMENT CORPORATION, A CORPORATIONhas S been named as Garnishee.....IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 20.....day of June, 1969.....Reese J. Duck  
Clerk of the Circuit Court.

**NOTICE**  
**TO DEFENDANT OF GARNISHMENT**  
**BY**  
**CLERK OF CIRCUIT COURT**  
**BALDWIN COUNTY, ALABAMA**  
**TO**

Plaintiff.....

VS.

Defendant.....

Garnishment on Judgment.

The State of Alabama,  
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

Spring

TERM, 1959

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular Spring Term, 1959, of the Circuit Court of Baldwin County,  
to-wit: On the 20th day of May, 1959, being a regular day of  
said term, Mrs. W. F. Pope, Ind, and d/b/a Fairhope Grocery

recovered judgment against Mrs. Thomas Kervin

for the sum of One Hundred Eighty-Five and 82/100 Dollars, and cost of suit,  
and affidavit having been made by John V. Duck, Attorney for Record for Mrs. W. F. Pope  
Ind d/b/a Fairhope Grocery  
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the  
following named persons or corporations, viz:

GRAND HOTEL DEVELOPMENT CORPORATION, A Corporation

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

GRAND HOTEL DEVELOPMENT CORPORATION, a Corporation

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, on the Monday in June A. D. 1959,  
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 it 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 Mrs. Thomas Kervin

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

Witness, ALICE J. DUCK, Clerk of said Court, this 20 day of June A. D., 1959

Issued          day of          A. D., 1959

ATTEST:

Alice J. Duck Clerk.



Circuit Court, Baldwin County

No. \_\_\_\_\_

VS. { Garnishment On Judgment

Issued 20 day of June 1934

Returnable \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Attorney

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State aforesaid John V. Duck, Attorney for Record for Mrs. W.F. Pope, d/b/a  
Fairhope Grocery  
who being duly sworn, on oath says, that a regular Spring Term  
of the Circuit Court of Baldwin County, to-wit: on the 20th day of May  
1959, Mrs. W. F. Pope, Ind, d/b/a Fairhope Grocery  
recovered a judgment against Mrs. Thomas Kervin

\_\_\_\_\_ for the sum of  
ONE HUNDRED EIGHTY-FIVE and 82/100 Dollars  
besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

GRAND HOTEL DEVELOPMENT CORPORATION, a Corporation

supposed to be indebted to or have effects of the said Mrs. Thomas Kervin  
in its possession, or under its control, and that he believes process of  
Garnishment against said Grand Hotel Development Corporation, A Corporation  
is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 20

day of June A. D. 19 59

Alice J. Duck  
Clerk.

John V. Duck

NO.

374362

CIRCUIT COURT

VS.

AFFIDAVIT

Garnishment on Judgment

Filed this \_\_\_\_\_ day of

19\_\_\_\_

Clerk.

MOORE PRINTING CO., BAY MINETTE, ALA.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State aforesaid John V. Duck, Attorney for Record for Mrs. W.F Pope, d/b/a

Fairhope Grocery  
who being duly sworn, on oath says, that a regular Spring Term

of the Circuit Court of Baldwin County, to-wit: on the 20th day of May

1959, Mrs. W. F. Pope, Ind, d/b/a Fairhope Grocery

recovered a judgment against Mrs. Thomas Kervin

\_\_\_\_\_ for the sum of

ONE HUNDRED EIGHTY-FIVE and 82/100 Dollars

besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

GRAND HOTEL DEVELOPMENT CORPORATION, a Corporation

supposed to be indebted to or have effects of the said Mrs. Thomas Kervin

in its possession, or under its control, and that he believes process of

Garnishment against said Grand Hotel Development Corporation, A Corporation

is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 20

day of June A. D. 1959

Alice J. Duck  
Clerk.

John V. Duck

NO. \_\_\_\_\_

# CIRCUIT COURT

vs.

## AFFIDAVIT Garnishment on Judgment

Filed this \_\_\_\_\_ day of \_\_\_\_\_

, 19\_\_\_\_

Clerk.

State of Alabama

BALDWIN COUNTY

TO Mrs. Thomas Kervin, Defendant:

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

Mrs. W. F. Pope, Ind d/b/a Fairhope Grocery, Plaintiff,

versus Mrs. Thomas Kervin, Defendant,

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

GRAND HOTEL DEVELOPMENT CORPORATION, A CORPORATION

has been named as Garnishee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 20

day of June, 1949.

A. J. Duck  
Clerk of the Circuit Court.

Garnishment on Judgment.

The State of Alabama,  
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

Spring

TERM, 1959

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular Spring Term, 1959, of the Circuit Court of Baldwin County,  
to-wit: On the 20th day of May, 1959, being a regular day of  
said term, Mrs. W. F. Pope, Ind, and d/b/a Fairhope Grocery

recovered judgment against Mrs. Thomas Kervin

for the sum of One Hundred Eighty-Five and 82/100 Dollars, and cost of suit,  
and affidavit having been made by John V. Duck, Attorney for Record for Mrs. W. F. Pope  
Ind d/b/a Fairhope Grocery  
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the  
following named persons or corporations, viz:

GRAND HOTEL DEVELOPMENT CORPORATION, A Corporation

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

GRAND HOTEL DEVELOPMENT CORPORATION, a Corporation

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, on the Monday in A. D. 1959,  
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 answer, or at any time intervening the time of serv-  
ing the garnishment, and making the answer was indebted to said defendant  
and whether it will not be indebted in future to said defendant  
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 Mrs. Thomas Kervin

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

Witness, ALICE J. DUCK, Clerk of said Court, this 20 day of June, A. D., 1959

Issued day of A. D., 1959

ATTEST:

276

Alice J. Duck, Clerk.

Received 20 day of June 1952  
and on \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
served a copy of the within Grand Hotel  
\_\_\_\_\_ service on \_\_\_\_\_  
TAYLOR WILKINS, Sheriff  
By \_\_\_\_\_ D. S.

Not employed  
at Grand Hotel  
Not found

turned 24 day of July 1952  
not found in my county after diligent search and in-  
try.  
Taylor Wilkins, Sheriff  
By Deputy Sheriff  
Deputy Sheriff

Circuit Court, Baldwin County

No. 3743 1/2

Mrs. W. F. Pope  
d/b/a Fairhope Grocers

VS. } Garnishment On Judgment

Mrs. Thomas Perwin  
Grand Hotel  
Garneshee

Issued 20 day of June 1952

Returnable \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Attorney