

SUMMONS

THE STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summons MRS. TED CECIL 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 WALTER PETERSEN.

Witness my hand this the 24 day of November, 1959.

Ex 11-27-59

David L. Duck
Clerk

* * * * *

COMPLAINT

WALTER E. PETERSEN,

PLAINTIFF

VS:

MRS. TED CECIL,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

The Plaintiff claims of the defendant THREE HUNDRED TWENTY-SEVEN & 72/100 DOLLARS (\$327.72) due by promissory note made by her on the 14th day of July, 1959, and payable on the 14th day of November 1959, with interest thereon.

Said note provides for a reasonable attorney's fee, which plaintiff alleges to be \$65.00. *1 121 111*

10. *Paul C. Clark*
Attorney for Plaintiff

The Defendant's Address is:
Loxley, Alabama

no. 4025 ✓

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

WALTER E. PETERSEN,
PLAINTIFF

VS:

MRS. TED CECIL,
DEFENDANT

Received 25th day of Nov 1959

and on 27th day of Nov 1959

I served a copy of the within

on Mrs. Ted Cecil

By service on

TAYLOR WILKINS, Sheriff

By Steadman D. S.

Sheriff claims 40 miles at

Ten Cents per mile Total \$ 4.00

TAYLOR WILKINS, Sheriff

BY E.H.
DEPUTY SHERIFF

Lopley, Ala

FILED
NOV 25 1959
ALICE L. DUCK, CLERK
REGISTER

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

ATTACHMENT

The State of Alabama, {
Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, WALTER E. PETERSEN

hath complained on oath to me, ALICE J. DUCK, Clerk of Circuit Court of Baldwin County, Ala., that

TED CECIL

is justly indebted to the Plaintiff Walter E. Petersen

in the sum of THREE HUNDRED TWENTY-SEVEN & 72/100 (\$327.72) Dollars, and

Walter E. Petersen having made affidavit and given bond as required by law, in such cases, you are hereby commanded to attach so much of the estate of

Ted Cecil

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such estate, so attached unless replevied, so to secure, that the same may be liable to further proceedings thereon to be had by the Circuit Court of Baldwin County, Ala., at a term thereof, to be held at the Court House of said County, on Within 30 days Monday of _____ 19____ next; when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 26 day of October A. D., 19 59....

Alice J. Duck Clerk.

Received 26 day of Oct 1959
and on 27 day of Oct 1959
served a copy of the within Attachment
on Ted Cecil

by service on _____

TAYLOR WILKINS, Sheriff

By Edleigh Steadman S.

Sheriff claims 40 miles
@ 10th per mile.
2000

By attaching 1-1947
1 1/2 ton Studebaker Truck
Ala tag # 5 H 1522
and storing at
Tommy Redding

20/4

No. 4027

ATTACHMENT

WALTER E. PETERSON

Vs. { ATTACHMENT

TED CECIL

Issued Oct. 26, _____, 1959

Printed by Moore Printing Co.

| | | |
|--------------------|---|--------------------------|
| WALTER E. PETERSEN |) | IN THE CIRCUIT COURT OF |
| PLAINTIFF |) | BALDWIN COUNTY, ALABAMA, |
| VS |) | AT LAW |
| MRS. TED CECIL |) | NO. 4025 |
| DEFENDANT |) | |

Comes now the Defendant in the above styled cause and files the following pleas to the Plaintiff's Complaint:

1.

Not guilty.

2.

The Defendant says that there is a partial failure of consideration for this note.

3.

That she has paid the amount of the note for the recovery of which this suit was brought before this action was commenced.

4.

That at the time this action was commenced the Plaintiff was indebted to the Defendant in the amount of \$390.00 for work and labor performed by the Defendant for the Plaintiff which she hereby offers to set off against the demand of the Plaintiff and claims judgment for the excess.

FILED
JAN 26 1969
ALICE L. DUCK, Clerk

Wilters & Brantley

By: Robert M. Brantley
Attorney for the Defendant

4025-

WALTER E. PETERSEN
PLAINTIFF
VS
MRS. TED CECIL
DEFENDANT

PLEAS

FILED
JAN 26 1960
ALICE J. DUCK, Clerk

AFFIDAVIT FOR ATTACHMENT

STATE OF ALABAMA,)

BALDWIN COUNTY.)

Before me, Forest A. Christian, a Notary Public of Baldwin County, personally appeared Walter E. Petersen, who being duly sworn, deposes and saith:

That Ted Cecil will become indebted to the said Walter E. Petersen in the sum of THREE HUNDRED TWENTY-SEVEN & 72/100 DOLLARS (\$327.72) , which said amount is justly to become due, and that the said Ted Cecil resides out of the state, and that this attachment is not sued out for the purpose of vexing or harassing the said defendant.

Walter E. Petersen

Walter E. Petersen

Sworn to and subscribed

before me this the 26th day

of October, 1959

Forest A. Christian
Notary Public

FILED

OCT 26 1959

ALICE J. DUCK, CLERK
REGISTER

WALTER E. PETERSEN

PLAINTIFF

VS

MRS. TED CECIL

DEFENDANT

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

Comes now the Defendant in the above styled cause and demurs to the Plaintiff's Complaint and for grounds thereof says:

1.

The Complaint fails to state a cause of action.

2.

The Complaint fails to show that the note sued on is due and unpaid.

Wilters & Brantley

By:

Albert M. Brantley
Attorneys for the Defendant

FILED

DEC 16 1959

ALICE J. DUCK, Clerk

WALTER E. PETERSEN

PLAINTIFF

VS

MRS. TED CECIL

DEFENDANT

DEMURRERS

FILED

DEC 16 1959

ALICE J. DUCK, Clerk

MEMORANDUM FROM THE . . .

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

November 20, 1959

Dear Mrs. Duck:

On the 26th day of October we filed an attachment in this case and you will no doubt wish to assign it to same number in order to save court cost., etc.

Yours very truly,

FOREST A. CHRISTIAN