

J. E. BUNTIN

PLAINTIFF

VS

LUTHER C. FAISON

DEFENDANT

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 4058

/-.-.-.-.

Comes now the Plaintiff in the above styled cause and for answer to Plaintiff's complaint says as follows:

I

Not guilty

II

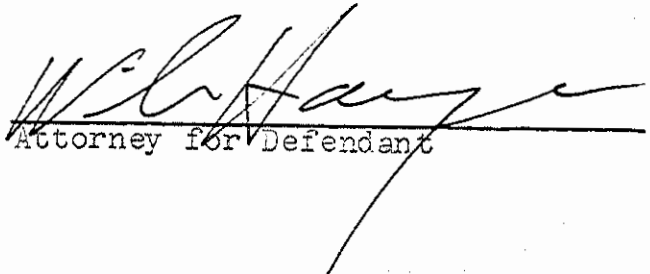
That the note upon which the action was founded, was not executed by him, or by any one authorized to bind him in the premises.

III

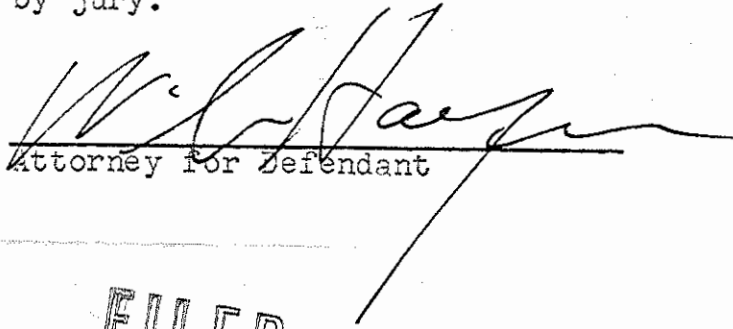
That he has paid the debt for the recovery of which this suit was brought before the action was commenced.

IV

That the said note, upon which the action is founded, is usurious and void for the interest thereon.

  
Attorney for Defendant

Defendant demands trial  
by jury.

  
Attorney for Defendant

FILED  
DEC 4 1959  
ALICE J. DUCK, Clerk

NUMBER: 4068

J. E. BUNTIN

PLAINTIFF

VS

LUTHER C. FAISON

DEFENDANT

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

FILED  
DEC 4 1959  
ALICE J. DUCK, Clerk

J.E.Buntin,

Plaintiff.

vs.

Luther C.Faisoh,

Defendantg.

In the Circuit Court,Baldwin County,

Alabama,at Law.

Case No.4058.

Now comes the Plaintiff in the above cause,and demurs to plea  
II of the defendant in this cause,and as grounds of said demurrer,assigns  
separately and severally the following grounds:

(FIRST)

Because said plea in substance denies the execution of the  
note sued upon,and said plea does not appear to be verified.

(SECOND)

For that said plea is a plea in abatement which is required  
to be verified by Title 7,Section 226 of the Code of Alabama of 1940 as  
amended.

(THIRD)

For that said plea in substance denies the execution of the  
note sued upon by the Plaintiff in this cause,which is the foundation of the  
suit,and said plea is not verified by affidavit as is required by law.

(FOURTH)

Because said plea in substance denies the execution of the  
note sued on by the Plaintiff,the foundation of the suit,and said plea does  
not appear to be verified by affidavit as is made and provided for by law.

W. Perry Calhoun  
Attorney for the Plaintiff.

I,W.Perry Calhoun,Attorney of record for the Plaintiff,hereby certify that  
I have mailed,properly addressed,postage prepaid a copy of the above demurrers  
to the Hon.W.L.Harper,Attorney of record for the defendant,on this the 15th.  
day of March,1960.

W. Perry Calhoun  
Attorney for the Plaintiff.

FILED  
MAR 16 1960  
ALICE L. DUCK, CLERK  
REGISTER

4058

In the Circuit Court, Baldwin County,

Alabama, at Law

Case No. 4058

J. E. Buntin,

Plaintiff.

vs.

Luther C. Faison,

Defendant.

---

Demurrers of Plaintiff to defendants  
Plea two.

---

Filed in this office this the ----  
day of March, 1960.

---

Clerk of the Circuit  
Court.

FILED

MAR 16 1960

ALICE I. DUCK CLERK  
REGISTERED

J. E. BUNTIN

PLAINTIFF

VS

LUTHER C. FAISON

DEFENDANT

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 4058

.....

Comes now the Plaintiff in the above styled cause and for further answer says as follows:

I

That the allegations contained in the Plaintiff's complaint are untrue.

II

Not guilty.

III

That he has paid the debt for the recovery of which this suit was brought before the action was commenced.

IV

That the said note, upon which the action is founded is usurious and void for the interest thereon.

V

That the note upon which the action was barred by the statute of limitations of seven years.

VI

That the note upon which the action was founded, was not executed by him or by anyone authorized to bind him in the premises; and he makes oath that this plea is true.

Luther C Faison  
Defendant

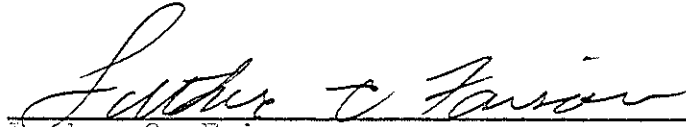
Sworn to and subscribed before me this 8th day of March, 1960.

W. H. Hays  
Notary Public, Baldwin County, Ala.  
at large  
W. H. Hays  
Attorney for Defendant

STATE OF ALABAMA

BALDWIN COUNTY

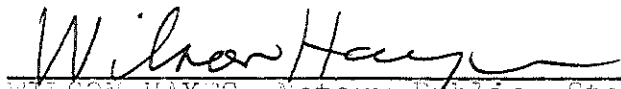
Before me, WILSON HAYES, a Notary Public in and for said State of Alabama at Large, personally appeared Luther C. Faison, who being known to me and who being sworn declared that he has read the above ~~answer and pleas and that the same are true.~~

  
Luther C. Faison

FILED

MAR 14 1960

ALICE L. DUCK, Clerk

  
WILSON HAYES, Notary Public, State of Alabama at Large

4058

for Plaintiff

J. W. Weller

Dr from May 1958  
to March 1960 at  
6% total 16.50  
Due after 50.00  
Due note 150.00  
216.50

FILED

MAR 14 1960

ALICE J. DUCK, Clerk

J.E.Buntin,  
Plaintiff.

vs.

Luther C. Raison,  
Defendant.

)

) In the Circuit Court, Baldwin County, Alabama,

At Law.

)

)

Case No. 4058.

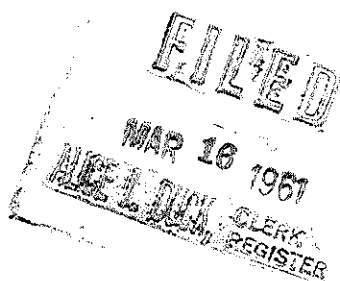
Comes the Plaintiff in the above cause and for replication  
to pleas (1), (3) and IV of the defendant filed in this cause, says:

(1) That he joins issue thereon.

WHEREFORE Plaintiff says that the matters and things  
set forth in said pleas is no defense to this action.

*W. Perry Bachman*  
Attorney for the Plaintiff.

Copy enclosed for the defendants lawyer





4058

In the Circuit Court, Baldwin  
County, Alabama, at Law

J.E. Buntin,  
Plaintiff.

vs.

Luther C. Faison,  
Defendant.

Replications to pleas 1, 3 and  
4 of the defendants.

Filed in this office this the  
day of March, 1960.

Clerk

FILED

MAR 16 1960

ALICE L. DICK, CLERK  
REGISTER

LAW OFFICES  
**W. PERRY CALHOUN**  
FARMER-PORTER BUILDING  
DOTHAN, ALABAMA

November 16, 1959

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

Dear Mrs. Duck:

I enclose, herewith, a suit of J. E. Buntin vs. Luther C. Fasion. Please have the defendant served with a copy of this Summons and Complaint. This defendant works with the State of Alabama and lives in Baldwin County and is employed by the Income Tax Division of the Revenue Department of the State of Alabama. I believe that Mr. Fasion works in Mobile and the Sheriff of Mobile can serve him there if you can not locate him in Baldwin County. He works in the Alabama State Officer of Tax Department located in Mobile. I would appreciate your letting me know when he files an answer in this case.

Yours very truly,

  
W. Perry Calhoun

WPC:mgb

Encl.

- ~~1. Helms, Kenneth B., Civil Service, Elberta~~
- ~~2. Helms, John R., Civil Service, Elberta~~
- ~~3. King, George H., Jr., Clerk, Bay Minette~~
- ~~4. Ritz, Donald, Civil Service, Elberta~~
- ~~5. Hughes, George, Motel Owner, Fairhope~~
- ~~6. Simpson, George B., Meat Packer, Fairhope~~
- ~~7. Cooper, Ted W., Livestock Dealer, Robertsdale~~
- ~~8. Corte, Ferdinand A., Farmer, Loxley~~
- ~~9. Gibson, Leon Fisher, Mechanic, Bay Minette~~
- ~~10. [unclear], [unclear], [unclear]~~
- ~~11. [unclear], [unclear], [unclear]~~
- ~~12. [unclear], [unclear], [unclear]~~
- ~~13. [unclear], [unclear], [unclear]~~
- ~~14. [unclear], [unclear], [unclear]~~
- ~~15. [unclear], [unclear], [unclear]~~
- ~~16. [unclear], [unclear], [unclear]~~
- ~~17. [unclear], [unclear], [unclear]~~
- ~~18. [unclear], [unclear], [unclear]~~
- ~~19. [unclear], [unclear], [unclear]~~
- ~~20. [unclear], [unclear], [unclear]~~
- ~~21. [unclear], [unclear], [unclear]~~
- ~~22. [unclear], [unclear], [unclear]~~
- ~~23. [unclear], [unclear], [unclear]~~
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- ~~31. [unclear], [unclear], [unclear]~~
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- ~~33. [unclear], [unclear], [unclear]~~
- ~~34. [unclear], [unclear], [unclear]~~
- ~~35. [unclear], [unclear], [unclear]~~
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- ~~40. [unclear], [unclear], [unclear]~~
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- ~~42. [unclear], [unclear], [unclear]~~
- ~~43. [unclear], [unclear], [unclear]~~
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- ~~45. [unclear], [unclear], [unclear]~~
- ~~46. [unclear], [unclear], [unclear]~~
- ~~47. [unclear], [unclear], [unclear]~~
- ~~48. [unclear], [unclear], [unclear]~~

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P XXXXX

D XXXXX

LAW OFFICES  
**W. PERRY CALHOUN**  
FARMER-PORTER BUILDING  
DOTHAN, ALABAMA

March 15, 1960.

Alice J. Duck,  
Clerk,  
Bay Minette, Ala.

Dear Madam:

In re: J.E. Bunfin vs Luther C. Faison,  
Case No. 4058.

The above case is set for trial on March 17th. 1960.  
I enclose herewith demurrers to plea two and replication to the remaining  
pleas of the defendants in the above cause. Please file in the court for  
the plaintiff.

I wish you would have served on the defendant's attorney  
a copy of the demurrers of the plaintiff and also a copy of the replication  
of the plaintiff. I am unable to make out the name of the defendant's attorney.

I will be in court on the 17th. at 9:00 A.M.

Yours very truly,



W. Perry Calhoun.

SUMMONS AND COMPLAINT

BALDWIN

The State of Alabama, ~~Houston~~ County

CIRCUIT

COURT AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS:

You are hereby commanded to summon Luther C. Faison

Baldwin

to appear in the Circuit Court of ~~Houston~~ County, Alabama, and plead, answer or demur,  
within Thirty days from service hereof, to the complaint of J. E. Buntin

Witness my hand, this 17 day of November 19 59

Alice J. Duck

Clerk

COMPLAINT

J. E. Buntin

Luther C. Faison

Vs.

Plaintiff

Defendant

The Plaintiff claims of the Defendant the sum of One hundred and Fifty and no/100 (\$150.00) Dollars on a note executed by the defendant to the Plaintiff on the 18th day of October, 1957 and due and payable on May 1, 1958, which sum of money, together with interest is due and unpaid.

As a part of the consideration for the defendant executing said note he agreed to waive all his personal property exemptions under the laws of the State of Alabama and he agreed to pay all expenses of collection, including a reasonable attorney fee if placed in the hands of any attorney for collection.

Plaintiff claims of the defendant the sum of \$50.00 as attorney fee and alleges that said sum is a reasonable attorney fee.

Plaintiff asks for a judgment for the amount of \$150.00, together with \$50.00 attorney fee and all said judgment to carry a waiver of exemptions as to personal property under the laws of the State of Alabama. Wherefore, Plaintiff brings this his suit to recover.

W. Perry Leachman  
Plaintiff's Attorney

11-23-59

Received this \_\_\_\_\_ day of

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

Sheriff

Executed this 23 day of

Nov, 1959

By leaving a copy of this within Summons and complaint with:

Luther C. Faison  
Defendant

Taylor Wilkins  
Sheriff

W. C. Garner D.S.  
Stephenson

Sheriff claims 22 miles at  
Ten Cents per mile Total \$ 2.20

TAYLOR WILKINS, Sheriff  
BY Garner  
DEPUTY SHERIFF

No. 4058

The State of Alabama

HOUSTON COUNTY

BAIRDWIN

CIRCUIT

COURT

AT LAW

J. E. Buntin

Plaintiff

VS.

Luther C. Faison

Luther C. Faison  
Stephenson

Defendant

Summons and Complaint

Filed this 17 day of

Nov, 1959

W. Perry Cochran  
Clerk

W. Perry Cochran  
Plaintiff's Attorney

Cochran, also