### WILSON HAYES

LAWYER

P. D. BOX 300

BAY MINETTE, ALABAMA

36507

October 6, 1970

TELEPHONE 937-5506

Clerk, Circuit Court Baldwin County Bay Minette, Alabama 36507

Re: Sutcliffe Co, Inc., A Corp. Vs.

J. R. Wood, Sr. d/b/a Daphne Boat Center

#4482

Dear Mrs. Duck:

Please re-issue execution against Defendant in the above referenced case. His address is Wood Acres Skeet Club, Route 2, Box 197, Fairhope, Alabama

With kind regards, I am

Yours very truly,

WH/ms

### WILSON HAYES

LAWYER

P. C. BCX 300

P. O. 80X 300

BAY MINETTE, ALABAMA

36507

TELEPHONE 937-5506

October 9, 1970



Mrs. Alice J. Duck, Clerk Circuit Court Baldwin County Bay Minette, Alabama 36507

Re: Case #4482

Dear Mrs. Duck:

Enclosed is a Motion for Writ of Discovery in the above referenced case.

With kind regards, I am

Yours very truly,

Wilson Hayes

WH/ms Enc. SUTCLIFFE CO., INC., a Corporation,

Ŏ IN THE CIRCUIT COURT OF

Plaintiff.

Ŏ BALDWIN COUNTY, ALABAMA

Vs.

AT LAW

J. R. WOOD, SR., d/b/a DAPHNE BOAT CENTER,

ŏ

Defendant.

ð NUMBER: 4482

MOTION FOR ORAL EXAMINATION OF DEBTOR

Comes now Wilson Hayes, Attorney of record for the Judgment Creditor in the above styled cause and files herein this, his affidavit, stating that a Writ of Discovery was issued out of this Court in this cause and that Defendant did file herein his statement according to the Writ and that the said statement by the Judgment Debtor, namely J. R. Wood, Sr., does not contain a full, true and correct statement and description of his assets as required by the law made and provided, Title 7, Section 903 et seq, Alabama Code 1940 as amended and

Plaintiff does hereby move the Court to make and enter an Order requiring the said Judgment Debtor, J. R. Wood, Sr., to be and appear before this Court on a day to be set by the Court, then and there to submit to oral examination, under oath, touching the nature, location, description and value of such assets and all his assets, and that notice of such setting be served on the said J. R. Wood, Sr.

Respectfully submitted.

Attorney Record

Wilson Hayes

STATE OF ALABAMA BALDWIN COUNTY

Before me, Mary C. Stiers, this day personally appeared Wilson Hayes, who is known to me and who being by me first duly sworn to speak the truth, deposes and says he has read the foregoing instrument and knows the facts therein stated are true to the hest of his knowledge information and holist the best of his knowledge, information and belief.

Wilson Hayes

Sworn to and subscribed before me this the 3rd day of November, 1970.

1970

mary C. Stiers Mary C. Stiers, Notary Public Commission expires: 1-9-74

63 PAGE 878 VCL

NOV a

CLERK REGISTER SUTCLIFFE CO., INC., a Corporation,

IN THE CIRCUIT COURT OF

Plaintiff,

BALDWIN COUNTY, ALABAMA

Vs.

AT LAW

J. R. WOOD, SR., d/b/a DAPHNE BOAT CENTER,

, A

Defendant.

NUMBER: 4482

ORDER FOR ORAL EXAMINATION OF DEBTOR

In this cause came Plaintiff by his Attorney, Wilson Hayes, and filed herein Affidavit, duly verified, stating that the statement of Defendant, the said Judgment Debtor, J. R. Wood, Sr., did not contain a full, true and correct statement and description of his assets as required by Title 7, Section 903 et seq, Code of Alabama 1940, as amended, and praying the Court to require the Defendant, Judgment Debtor, J. R. Wood, Sr., to be and appear before this Court at a time and place to be set by this Court and to then and there be examined, under oath, touching the nature, location, description and value of his assets, it is therefore

ORDERED, ADJUDGED and DECREED that J. R. Wood, Sr. be and appear before this Court at 9:30 o'clock, A.M. on the day of Moseulas, 1970, then and there to submit to oral examination, under oath, touching the nature, location, description and value of his assets and to that end produce all such papers, documents or books which may contain material evidence of such assets.

It is further ORDERED that a copy of this notice be served forthwith on the said J. R. Wood, Sr.

Done this 4 day of November, 1970.

Telfdir J. Mashburn, Judge Circuit Court

NOV 4 1970

ALCE J. DUCK CLERK REGISTER

VOL 63 PAGE 879

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Sutclipe Co. Inc. a lorp.

J. R. Wood, Sr, db/a Oaphne Boat lenter

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ALLES SEEDS REGISTER

w. Haylo

SUTCLIFFE CO., INC. A Corporation,

IN THE CIRCUIT COURT OF

Plaintiff,

Ŏ BALDWIN COUNTY, ALABAMA

Vs.

AT LAW

J. R. WOOD, SR., d/b/a DAPHNE BOAT CENTER

Defendant.

NUMBER: 4482

### WRIT OF DISCOVERY

Ĭ

J. R. WOOD, SR., D/B/A DAPHNE BOAT CENTER T0:

Take notice, that, whereas the Plaintiff in the above entitled cause has requested in writing, the undersigned, as Clerk of said Court to issue notice to you as Defendant in the above entitled cause and in the judgment therein, requiring you to file the statement in writing under oath of all your assets, as provided in the Act of the Legislature of Alabama, approved September 28, 1915, "to provide for the discovery of assets of judgment debtors, and to facilitate the enforcement or collection of judgments in courts of law and equity in this State," and has filed said request, in writing, in this cause endorsed "no property found" by the Sheriff of Baldwin County, and that you reside in the State of Alabama.

Now therefore, you, the said J. R. Wood, Sr., d/b/a Daphne Boat Center are hereby required, within 30 days from the service hereof, to file in this Court a statement, in writing, under oath, of all your assets, including money, choses in action, notes, bonds and accounts, and all other property, real, personal or mixed, or any interests therein, with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed list or statement, of any and all lends, mortgages or encumbrances thereon.

Witness my hand this  $\varphi'$ 

day of

1970.

TO ANY SHERIFF IN THE STATE OF ALABAMA: Greetings.

You are hereby commanded to serve the foregoing notice upon the above named J. R. Wood d/b/a Daphne Boat Center and make due return of your said service and of this notice.

4482 Suteliffe lo. Une. a lorg. D. R. Wood, J.R.
FRINKIONE, ALA. Amiles
SHOOTING PARY BOMILES W. Haylo

SUTCLIFFE CO., INC., IN THE CIRCUIT COURT OF a Corporation, BALDWIN COUNTY, ALABAMA Plaintiff, AT LAW, CASE NO. 4482 ٧s. J. R. WOOD, SR., d/b/a DAPHNE BOAT CENTER, Defendant.

Comes now J. R. WOOD, SR., d/b/a DAPHNE BOAT CENTER, the Defendant in the above styled cause, and in obedience to the notice heretofore served on him in this cause, for a statement of his assets, and says:

1 - 1965 Chevrolet automobile

\$600.00

l lot personal clothing

200.00

I own no other assets, including money, choses in actions, notes, bonds, and accounts, and no other property, real, personal or mixed, or any interest therein.

Defendant further says that the assets hereinabove set out are as required by Code of 1940, Title 7, Section 903.

J. R. WOOD, SR.

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, the undersigned authority, J. R. WOOD, SR., Defendant in the above styled cause, who being by me first duly and legally sworn, doth depose and say that the statement above is true and correct.

J. R. WOOD, SR.

Sworn to and subscribed before

day of me on this the

, 1970.

06F 7 ( 1970

PUBLIC

SUTCLIFFE CO., INC. A Corporation,

IN THE CIRCUIT COURT OF

Plaintiff,

BALDWIN COUNTY, ALABAMA Ĭ

Vs.

AT LAW

J. R. WOOD, SR., d/b/a DAPHNE BOAT CENTER

Ĭ

Defendant.

NUMBER: 4482

### MOTION FOR WRIT OF DISCOVERY

TO THE HONORABLE ALICE J. DUCK, CLERK OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Whereas, in the above styled cause the Plaintiff recovered a judgment against the said Defendant, J. R. Wood, Sr., d/b/a Daphne Boat Center on the 2nd day of March, 1961, for the sum of \$419.36 besides the cost of said cause; whereas execution was issued on the said judgment against the said J. R. Wood, Sr., d/b/a Daphne Boat Center, and thereafter the said execution was returned by the Sheriff of Baldwin County, Alabama with the endorsement thereon "No Property Found" and the said judgment remains unpaid and unsatisfied.

NOW THEREFORE, this is to request you as Clerk of said Court to issue a notice to the said J. R. Wood, Sr., d/b/a Daphne Boat Center requiring him to file in the Circuit Court of said County, within 30 days from the service of said notice, a statement in writing, under oath, of all of the assets of the said J. R. Wood, Sr., d/b/a Daphne Boat Center including money, choses in action, bonds and accounts, and all other property, real, personal or mixed or any interest therein, with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed statement of all liens, mortgages or encumbrances thereon, showing the amounts due upon each, and owner or holder of such liens, mortgages br encumbrances.

The said J. R. Wood, Sr., d/b/a Daphne Boat Center resides at Wood Acres Skeet Club, Route 2, Box 197, Fairhope in the County of Baldwin, State of Alabama.

Dated this 9th day of October

, 1970.

OCT 9 1970

for Attorney Plaintiff

Wilson Hayes

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon J. R. Wood, Sr. d/b/a Daphne Boat Center to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of Sutcliffe Company, Inc., a corporation.

Witness my hand, this the // day of trober, 1960.

CLERK J. Duck

SUTCLIFFE COMPANY, INC., a corporation

Plaintiff

٧S

J. R. WOOD, SR. d/b/a DAPHNE BOAT CENTER

Defendant

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 4482

Plaintiff claims of the Defendant FOUR-HUNDRED, NINETEEN and THIRTY-SIX ONE-HUNDREDTHS (\$419.36) DOLLARS, due from him by account on the 19th day of February, 1960 which sum of money with interest thereon, is still unpaid.

ATTORNEY FOR PLAINTIFF

Plaintiff files by verified itemized statement of account which statement is attached hereto.

ATTORNEY FOR PLAINTIFF

FILED NOV. 10.1950; ALICE J. DUCK, Clerk

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IN THE CIRCUIT COURT	Ten Conts per mile T
BALDWIN COUNTY, ALABAMA	THE REPORT OF THE PARTY OF THE
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AFFIDAVIT TO PR E OPEN ACCOUNT	
STATE OF KENTUCKY  County of JEFFERSON	Sct.
In the matter of account due THE SU	TCLIFFE COMPANY, INC.
from DAPHNE BOAT CENTER, DAPHNE	ALA
this day came PAUL J. WILLENBRINK and says THAThe is TREASURER of said	who, being first duly sworn, deposes  CORPORATION
UNDER THE LAWS OF THE STAT	TE OF KENTUCKY and that the account
hereto attached against DAPHNE BOAT	CENTER, DAPHNE, ALA
for FOUR HUNDRED NINETEEN AND	
is a just demand, and has never to h IS k	knowledge or belief been paid; and that there is no offset
or discount against the same, or any usury ti	herein.
And this affiant further states that the	account herein claimed is due for the articles mentioned
therein, and that the same were sold and del	livered by said claimant to the said DAPHNE BOAT CENTI
THRIB	est, and that THEY promised to pay the sums therein
charged.	Pane A Willenbrink
	SIGNATURE

Subscribed and sworn to before me by PAUL J. WILLENBRINK

this 27th day of AUGUST 1960 Ceuruse Collection

NOTARY PUBLIC

My Commission Expires FEB 1 19 64

E:VOL

Incorporated

<sup>(1)</sup> If a firm, give full name of other partners. If a corporation, that he is President or Secretary adding on blank line below under the laws of what state it is originated.

LOUISVILLE CREDIT MEN'S ASSOCIATION, Louisville, Ky.

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# THE SUTCLIFFE COMPANY

DISTRIBUTORS

### SPORTING GOODS — TOYS

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Merchandise Returned Without Our Written Permission Will Not Be Accepted 6% Interest Charged on Accounts After Maturity Date

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SPORTING GOODS—TOYS

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