

ALABAMA PLUMBERS SUPPLY, INC.,
a corporation

PLAINTIFF

VS

IMA REE MILLER and H. Y. MILLER

DEFENDANTS

X

X

X

X

X

X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO:

4560

PETITION TO REVIVE JUDGMENT

TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, AT LAW:

Now comes the Plaintiff in the above styled cause, Alabama Plumbers
Supply, Incorporated, a corporation, and shows unto this Court as follows:

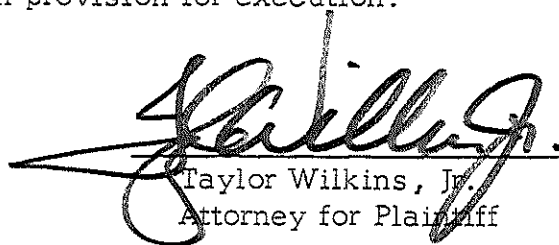
That Plaintiff owns a judgment obtained in this Court in cause number
4560, on the 16th day of March, 1961, for the sum of TWO THOUSAND SEVEN
HUNDRED NINETY-FOUR AND 17/100 (2,794.17) DOLLARS plus FORTY-EIGHT
(\$48.00) DOLLARS court costs, against the above named Defendants, Ima Ree
Miller and H. Y. Miller, jointly and severally; that said judgment remains unpaid
and unsatisfied. That all executions issued in this cause by the Clerk of this
Court have been subsequently returned endorsed by the Sheriff "No property
found".

Wherefore, Plaintiff prays that a writ of scire facias issue out of this
Court, requiring the Defendant to show cause, if any, within thirty (30) days after
service of such writ, why said judgment should not be in all things revived and
execution issued on the same, and that upon the hearing of this Petition, if no
legal reason be shown why said judgment should not be revived, and order
reviving the same be entered with provision for execution.

FILED

AUG 23 1971

EUNICE B. BLACKMON CIRCUIT
CLERK


Taylor Wilkins, Jr.
Attorney for Plaintiff

ORDER

Upon consideration of the foregoing Petition or motion, it is

ORDERED that a writ of scire facias issue by the Clerk of this Court

to the said Ima Ree Miller and H. Y. Miller in the nammer and form as prescribed
by law.

DONE this 23rd day of August, 1971.

Telfair J. Mashburn
Honorable Telfair J. Mashburn
Judge of the Circuit Court
Baldwin County, Alabama

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

BALDWIN COUNTY

BALDWIN COUNTY, ALABAMA

TO the Sheriff of said County - Greeting:

You are hereby commanded to forthwith serve the written writ personally on each of the following named Defendants: Ima Ree Miller and H. Y. Miller.

Witness my hand this the 23 day of August, 1971.

Eunice B. Blackmon
Circuit Clerk

ALABAMA PLUMBERS SUPPLY, INC.,
a corporation,

PLAINTIFF

VS

IMA REE MILLER and H. Y. MILLER

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO:

WRIT OF SCIRE FACIAS

TO: Ima Ree Miller and H. Y. Miller

You will take notice that Plaintiff in the above entitled cause has filed a Petition in the Circuit Court of Baldwin County, Alabama, to revive a judgment rendered on March 16, 1961, against you, jointly and severally, in said Court in cause no. 4560, for the sum of TWO THOUSAND SEVEN HUNDRED NINE TY-FOUR AND 17/100 (\$2,794.17) DOLLARS plus FORTY-EIGHT (\$48.00) DOLLARS costs of Court.

Now, therefore, you are hereby notified to show cause, if any you have, why said judgment should not be revived against you within 30 days after the date of service hereof.

WITNESS my hand this the 23 day of Aug, 1971.

Eunice B. Blackmon
Circuit Clerk

Filed in office, 8-23, 1971.

Eunice B. Blackmon
Circuit Clerk

FILED

AUG 23 1971

NICE B. BLACKMON

CIRCUIT
CLERK

Defendants live at:

Gulf Shores, Alabama

ALABAMA PLUMBERS SUPPLY, INC.

PLAINTIFF

IMA REE MILLER & H. Y. MILLER

DEFENDANTS

Taylor Wilkins, Jr.
Attorney for Plaintiff

AUG 24 1971

Executed by serving a copy of
the within on Sept. 3
1971.

BY: Roger Wilkins
Deputy Sheriff
Baldwin County, Alabama

Received 24 day of Aug 19 71
and on 3 day of Sept 19 71
I served a copy of the within Let. Prods. Whit
on H. Y. Miller & Ima Miller
By service on Ima Miller
TAYLOR WILKINS, Sheriff
By Roger Wilkins D. S.
Sheriff claims 200 miles at
Ten Cents per mile Total \$ 20.00
TAYLOR WILKINS, Sheriff
BY Roger Wilkins
DEPUTY SHERIFF

VS
IMA REE MILLER and H. Y. MILLER
vs
ALABAMA PLUMBERS SUPPLY, INC.
a corporation
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Witness my hand this 24 day of Aug, 1971.
on each of the following named Defendants: Ima Ree Miller and H. Y. Miller.
You are hereby commanded to forthwith serve the within writ personally
to the Sheriff of said County - appearing:
BALDWIN COUNTY
STATE OF ALABAMA
BALDWIN COUNTY, ALABAMA
IN THE CIRCUIT COURT OF

ALABAMA PLUMBER'S SUPPLY,
INC., a corporation, as
successors of WALTON
PLUMBING SUPPLIES, INC., a
corporation,

Plaintiff,

Versus

IMA REE MILLER and H. Y.
MILLER,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY,

ALABAMA.

NO. 4560

COUNT ONE:

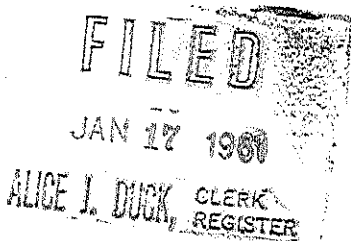
Plaintiff claims of the Defendants the sum of One Thousand Eight Hundred Thirty-five and NO/100 Dollars (\$1835.00) as the balance due to Plaintiff by the Defendants as under and by virtue of that certain promissory note executed by the Defendants on to-wit the 7th day of August, 1956, in the total sum of Two Thousand One Hundred Fifteen and NO/100 Dollars (\$2115.00), said note being payable in installments of Seventy and NO/100 Dollars (\$70.00) per month from the date thereof together with six per cent (6%) interest on the balance of the principal due and unpaid, and all installments are hereby due and unpaid, together with six per cent (6%) interest on the unpaid balance of said note.

Plaintiff claims, in addition thereto, an attorneys fee as provided for in said note, and the Plaintiff further avers that the Defendants did, in said note, waive any and all right to claims of exemption under the laws of the State of Alabama or any other State.

Sydney S. Pfleger
Sydney S. Pfleger, Attorney for
Plaintiff

Defendant's address:

Gulf Shores, Alabama



*Entered 1-26-61
by leaving a copy
with Ima Ree Miller
and Henry Miller.*

133 - Vol - 30

*Taylor Wilkins. Sher
by Corlisle Childers. Ds.*

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 4560

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon Ima Ree Miller, & H.Y. Miller

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

Ima Ree Miller, & H.Y. Miller, Defendant

by ALABAMA PLUMBER'S SUPPLY INC., A corporation, as successors of

WALTON PLUMBING SUPPLIES, Inc. a Corporation, Plaintiff

Witness my hand this 17th day of January 1961

E. H. 4/26/61 Alice J. Duck, Clerk

STATE of ALABAMA

Baldwin County

CIRCUIT COURT

ALABAMA PLUMBER'S SUPPLY INC., A Corp.,
as successors of WALTER PLUMBING
SUPPLIES, INC., A Corp.

Plaintiffs

vs.

IMA REE MILLER & H.Y. MILLER

Defendants

Summons and Complaint

Filed January 17, 1961

Alice J. Duck Clerk

Sydney S. Pfleger

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

1-17-61, 1961

Sheriff.

I have executed this summons

this 26 Jan 1961

by leaving a copy with

Ima Ree Miller
Henry Miller

Sheriff claims 200 miles at

Ten Cents per mile Total 20.00

TAYLOR WILKINS, Sheriff

BY Deputy Sheriff

Taylor Wilkins
Sheriff.

Deputy Sheriff.

Gulf Shores

LAW OFFICES OF
HOWELL, JOHNSTON & LANGFORD
NINTH FLOOR, WATERMAN BUILDING
P. O. BOX 1652
MOBILE, ALABAMA

THOMAS O. HOWELL, JR.
THOMAS A. JOHNSTON, III
IRVIN J. LANGFORD
GEORGE W. FINKBOHNER, JR.

June 1, 1962

no. 4560

Mrs. Alice Duck
~~Clerk of Circuit Court~~
Baldwin County Courthouse
Bay Minette, Alabama

Dear Mrs. Duck:

Early in 1961, a corporation here in Mobile, known as Alabama Plumber's Supply Company, Inc., was placed in Receivership. Mr. J. W. Rodriguez was appointed Receiver and this law firm, attorneys for Receiver.

In going over the various records of the corporation, we find a note that a judgment was taken in the Circuit Court of Baldwin County, Alabama, in March of 1961, in the case of Alabama Plumber's Supply Company, Inc., versus Irma Ree Miller and H. Y. Miller for \$2,813.00. This is the only information we have on this matter. We would appreciate your checking your court files on this for us, and if you are successful in locating this case, forwarding to us a thermo-fax copy or photostatic copy of bill of complaint. We would also appreciate your advising if there is any notation on this docket sheet, if judgment has been paid, also amount of judgment also date judgment was taken.

~~Please let us hear from you at your earliest convenience.~~

Very truly yours,

HOWELL, JOHNSTON & LANGFORD


George W. Finkbohner, Jr.

GWFjr:aft

ALABAMA PLUMBERS SUPPLY, INC.,	X	IN THE CIRCUIT COURT OF
a corporation,		
	X	BALDWIN COUNTY, ALABAMA
PLAINTIFF	X	AT LAW
VS	X	
IMA REE MILLER and H. Y. MILLER	X	
DEFENDANTS	X	CASE NO: 4560

ORDER OF REVIVER

This day came the Plaintiff by and through its Attorney, Taylor D. Wilkins, Jr., the Defendants, being called, came not but made default; and it appearing to the Court that on the 16th day of March, 1961, a judgment was rendered in favor of the Plaintiff and against the Defendants for the sum of TWO THOUSAND SEVEN HUNDRED NINETY-FOUR AND 17/100 (\$2,794.17) DOLLARS, together with the further sum of FORTY-EIGHT (\$48.00) DOLLARS as costs in suit; and after consideration thereof, the Court being of the opinion the Plaintiff is entitled to revive, it is,

ORDERED, ADJUDGED AND CONSIDERED, by the Court that the Plaintiff's motion to revive said judgment and to have execution issued thereon, be and the same is hereby granted, and that said judgment be and the same is hereby revived in the name of the Plaintiff and against the Defendants for the sum of TWO THOUSAND SEVEN HUNDRED NINETY-FOUR AND 17/100 (\$2,794.17) DOLLARS, together with the costs in this behalf expended, and for all of which let execution issue.

DONE this 14th day of December, 1971.

Telfair J. Mashburn
Telfair J. Mashburn
Judge of the Circuit Court
Baldwin County, Alabama

FILED

DEC 15 1971

Minute Book 17 Page 533

EUNICE B. BLACKMON CIRCUIT CLERK

STATE BANK OF ELBERTA
ELBERTA, ALA.

\$ 2115.00

ELBERTA, ALA., August 7 1956

In installments as provided below after date, without grace We promise to
pay to the order of Walton Plumbing Supplies, Inc.

Twenty One Hundred Fifteen DOLLARS

For value received, payable at the STATE BANK OF ELBERTA in Elberta, Alabama, with interest at—
6 per cent. per annum from date until paid. Payable \$70.00 monthly from date,
balance as principal. applicable first as interest,

The parties to this instrument, whether maker, endorser, surety or guarantor each for himself, hereby severally agrees to pay this note and
waives as to this debt all right of exemption under the Constitution and Laws of Alabama, or any other state, and they each severally agree to pay
all costs of collecting, or securing, or attempting to collect or secure this note, including a reasonable attorney's fee, whether the same be collected or
secured by suit or otherwise. And the maker, endorser, surety, guarantor, of this note severally waives demand, presentment, protest, notice of
protest suit and all other requirements necessary to hold them, and they agree that time of payment may be extended without notice to them of such
extension. The Bank at which this note is payable is hereby authorized to apply on or after maturity to the payment of this debt any funds in said
Bank belonging to the maker, surety, endorser, guarantor, or any one of them.

No. _____

Due _____

Ing. Reg. Miller
Clymilla

(over)