

5236

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon W. M. Gullledge to appear and answer, plead or demur, within thirty days from the service hereof, to a Bill of Complaint filed against him in the Circuit Court of Baldwin County, Alabama, at Law, by NIX & FLEMING SUPPLY CO., INC., a corporation, as Complainant, against W. M. Gullledge, as Defendant.

Witness my hand this the 9 day of August, 1962.

Allice J. Duck
REGISTER

Defendant resides at
Robertsdale, Alabama

NIX & FLEMING SUPPLY CO., INC.)
A Corporation,)
Plaintiff)
vs.)
W. M. GULLEDGE,)
Defendant)
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

COUNT ONE

Plaintiff claims of Defendant the sum of Four Hundred Four and 16/100 (\$404.16) Dollars with interest thereon, due from Defendant by promissory note executed by him to the Bank of Fairhope, Fairhope, Alabama and endorsed by the Plaintiff, on to-wit: October 31, 1960, in the principal amount of \$404.16, due and payable on, to-wit, December 1, 1960; that the Defendant defaulted in the payment of said note on, to-wit, December 1, 1960, and under the terms of said note the entire outstanding balance, to-wit, the sum of \$404.16 became immediately due and payable; that under the terms of said note the Defendant agreed to pay interest at the rate of 8% per annum on said unpaid balance and the Plaintiff further claims interest on the said unpaid balance, to-wit, the sum of \$404.16, at the rate of 8% per annum from said date of default; that under the terms of said note the Defendant agreed to pay all cost of collection and the Plaintiff further claims an attorney's fee in the amount of 20% of the said unpaid balance, to-wit, the sum of \$404.16; that under the terms of said note the Defendant waived all exemp-

tions under the laws of any State and Plaintiff respectfully claims benefit from said waiver.

COUNT TWO

The Plaintiff claims of the Defendant Fifty-four and 52/100 (\$54.52) Dollars, due from him for merchandise, goods and chattels sold by the Plaintiff to the Defendant on, to-wit: January 18, 1960, which sum of money with interest thereon is still unpaid.

BAILEY & LACEY

BY *[Signature]*

ATTORNEYS FOR THE PLAINTIFF

There is attached hereto as Exhibit "A" and made a part hereof, an itemized statement of account verified by H. L. Nix, a competent witness, sworn to before a Notary Public, which statement shows the amount due on the account as of the 18th day of January, 1960, and due at present.

FILED

AUG 9 1962

ALICE J. DUCK, CLERK
REGISTER

Received 10 day of Aug 1962
and on 10 day of Sept 1962
I served a copy of the within W. M. Bullledge
on _____

By service on _____

TAYLOR WILKINS, Sheriff

By *[Signature]* D.S.

Bay Minette

5236

BILL OF COMPLAINT

NIX & FLEMING SUPPLY CO., INC.
A corporation,

Plaintiff

vs.

W. M. GULLEDGE,

Defendant

Defendant resides at Robertsdale,
Alabama.

FILED

AUG 9 1932

ALICE J. DUCK, CLERK
REGISTER

NIX & FLEMING SUPPLY CO., INC.

WHOLESALE DISTRIBUTORS

ELECTRICAL SUPPLIES

PHONE WA 8-5862 - P. O. BOX 153

FAIRHOPE, ALABAMA

August 8, 1962

196

W. M. Gullege

Robertsdale, Ala.

11-23-60 Ticket #15734

CREDIT

\$ 3.86

1-18-60 Ticket #16727

Total Due

58.38

\$ 54.52 Due

STATE OF ALABAMA, BALDWIN COUNTY)

Before me, the undersigned authority,
personally appeared H. L. Nix, who states
that he is familiar with the above account
and that this is a true and accurate state-
ment and that there are no off-sets or
counter-claims against the same.

H. L. Nix

H. L. Nix

Sworn and subscribed to before me this 8th day of August, 1962.

Butz Joe W. Jeff
NOTARY PUBLIC STATE OF ALABAMA AT LARGE

521

NIX AND FLEMING SUPPLY
COMPANY, INC., a Corporation,

Plaintiff,
VS.

W. M. GULLEDGE,

Defendant,

C. M. NORTHCUTT,

Garnishee.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

ANSWER OF GARNISHEE

Personally appeared before me, the undersigned authority, in and for said State and County, C. M. Northcutt, who is personally known to me, and who being by me duly sworn, says that he is not now indebted to the defendant in any sum whatever, and was not indebted to him at the time of the service of this garnishment, nor at any time intervening between the time of the service of the garnishment and the making of this answer, and that he will not be indebted in the future to the said defendant by any contract then or now existing, and that he will not be liable to the defendant for the delivery of personal property by any contract then or now existing, for the delivery of personal property, nor for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and that he has not in his possession or under his control money or effects belonging to the defendant.

For further answer the garnishee says that the defendant recovered a judgment against him on March 11, 1963, in the Circuit Court of Baldwin County, Alabama, at Law, and the garnishee has filed a motion for a new trial in said cause which has not yet been heard and that if the said motion for a new trial is denied and the case is appealed and affirmed by the Appellate Court of Alabama then the said garnishee will be indebted to the defendant in the amount of the said judgment together with interest thereon.

Sworn to and subscribed before me
on this the 15th day of April, 1963.


Notary Public, Baldwin County, Alabama


FILED

APR 15 1963

ALICE L. BARK, CLERK
REGISTER

654

Garnishment on Judgment.

The State of Alabama,
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

March

TERM, 19 63

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular November Term, 19 62, of the Circuit Court of Baldwin County,
to-wit: On the 20th day of November, 19 62, being a regular day of
said term, Nix & Fleming Supply Company, Inc., a Corporation,

recovered judgment against W. M. Gullege

for the sum of Five Hundred Ninety-four and 69/100 Dollars, and cost of suit,
and affidavit having been made by Ernest M. Bailey
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the
following named persons or corporations, viz:

C. M. Northcut

has or is believed to have in his possession, or under his control money
or effects belonging to said defendant or that he 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

C. M. Northcut

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 thirty days from date Monday in A. D. 19 63,

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 his answer, or at any time intervening the time of serv-
ing the garnishment, and making the answer he was indebted to said defendant

and whether he will not be indebted in future to said defendant

by a contract then existing, and whether by a contract then existing
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 he has not in his possession or under his control money or
effects belonging to the defendant W. M. Gullege

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

Witness, ALICE J. DUCK, Clerk of said Court, this 13th day of March, A. D., 19 63

Issued day of A. D., 19 63.

ATTEST:

64-3-16-63

653

Alice J. Duck, Clerk.

Received 13 day of Mar 1963
and on 16th day of Mar 1963
I served a copy of the within writ
on C. M. Northcutt

By service on _____

TAYLOR WILKINS, Sheriff
By Fred Seibert D. S.
 Roanoke

Sheriff claims 52 miles at
Ten Cents per mile Total \$ 5.20.
TAYLOR WILKINS, Sheriff

BY _____
DEPUTY SHERIFF

Circuit Court, Baldwin County

No. 523 1/2

Nix & Fleming Supply Co.

VS. } Garnishment On Judgment

W. M. Bullhedge

Issued 13 day of March 1963

Returnable _____ day of _____ 19____

E. M. Bailey
Attorney

State of Alabama
BALDWIN COUNTY

TO W. M. Gullege, Defendant:

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

Nix & Fleming Supply Company, Inc., a Corporation, Plaintiff,

versus W. M. Gullege, Defendant,

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

C. M. Northcut

has been named as Garnishee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 13

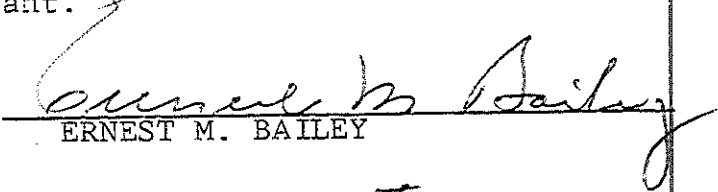
day of March, 1946

Alice J. Luck
Clerk of the Circuit Court.

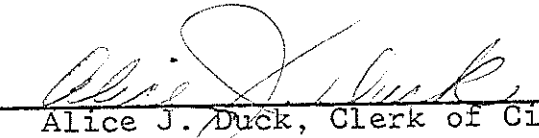
STATE OF ALABAMA)

BALDWIN COUNTY)

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for said County, Ernest M. Bailey, who being duly sworn, deposes and saith that Nix & Fleming Supply Co., Inc., a Corporation, at the November Term, A. D., 1962, of the Circuit Court of Baldwin County recovered a judgment against W. M. Gullledge for the sum of Five Hundred Ninety-four and 69/100 (\$594.69) Dollars and the further sum of Eighteen (\$18.00) Dollars cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that C. M. Northcut has or is believed to have in his possession or under his control, money or effects belonging to the defendant.


ERNEST M. BAILEY

Sworn to and subscribed to before me this 13th day of March, 1963.


Alice J. Duck, Clerk of Circuit
Court of Baldwin, County, Alabama

State of Alabama

BALDWIN COUNTY

TO W. M. Gullege, Defendant:

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

Nix & Fleming Supply Company, Inc., a Corporation, Plaintiff,

versus W. M. Gullege, Defendant,

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

C. M. Northcut

has been named as Garnishee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 13

day of March, 1943.

Alice J. Suck
Clerk of the Circuit Court.

S52

Received 13 day of March 1963
served a copy of the within Notice
W. M. Bulledge
service on

TAYLOR WILKINS, Sheriff

By _____ D. S.

Returned 16 day of April 1963
found in my county after diligent search and in-
y.

Taylor Wilkins, Sheriff

By Childress Deputy Sheriff

5236 1/2

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

TO

Met. Journal

Met. & Fleming Supply Co.
Plaintiff.....

VS.

W. M. Bulledge

Defendant.....

E. M. Bailey, Atty