

J. W. HAYLES

Plaintiff

vs

B. O. MCGEE

Defendant

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5699

-1-

The plaintiff claims of the defendant the sum of Three Hundred Twelve and 48/100 Dollars (\$312.48) due and unpaid of a note in the amount of Three Hundred Twelve and 48/100 (\$312.48) Dollars drawn by defendant on the 13th day of April, 1963, payable to the Baldwin County Bank, Bay Minette, Alabama, in 12 installments of \$26.04 each, the first being due May 15, 1963, and on the 15th day of each month thereafter until fully paid with the total unpaid amount becoming due on the failure to pay any of the individual notes, said note being endorsed by the plaintiff herein and the said note being not paid at maturity by the said B. O. McGee, was charged to the account of the endorser, J. W. Hayles, plaintiff in this case, by the said Baldwin County Bank. Whereas, said note in the amount of Three Hundred Twelve and 48/100 (\$312.48) Dollars with interest thereon is still unpaid.

-2-

The plaintiff claims of the defendant a reasonable attorney fee as provided in the said promissory waive note.

THOMPSON & WHITE

FILED

SEP 5 1963

ALICE J. DUCK, CLERK
REGISTER

BY:

C. L. Thompson
Attorneys for plaintiff

312.
1572

312

321

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No.-----

-----TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon B. O. McGee

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 -----

B. O. McGee-----, Defendant-----

by J. W. Hayles-----

-----, Plaintiff-----

Witness my hand this 5 day of Sept 1963

Ed - 9-7-63 Alice Duck, Clerk

No. 5699

Page _____

STATE of ALABAMA**Baldwin County****CIRCUIT COURT**J. W. HAYLES

Plaintiffs

vs.

B. O. MCGEE

Defendants

Summons and Complaint

Filed

FILED

19

SEP

5

1963

Clerk

ALICE J. DUCK

CLERK
REGISTERThompson & White

Plaintiff's Attorney

Defendant's Attorney

Defendant ~~has~~at may be
served at Danceland Friday or
Saturday night

Received In Office

Sept. 5th, 1963

Sheriff.

I have executed this summons

this 9-71963

by leaving a copy with

B-O McGee

Sheriff claims

100 Cents per mile Total \$ 6.00 miles at
TAYLOR WILKINS, Sheriff
W. A. Talbert
3 Miles South of 12th

Taylor Wilkins

Sheriff.

W. A. Talbert

Deputy Sheriff.

3 Miles South of 12th

State of Alabama }

BALDWIN COUNTY }

TO B. O. MCGEE, Defendant.....

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

J. W. HAYLES, Plaintiff.....

versus B. O. MCGEE, Defendant.....

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

Atmore Builders, Inc., a corporation

has... been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 5th.....

day of Sept, 1943

Alice Hiluck

Clerk of the Circuit Court.

5699

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

B. O. Mc Gee

J. W. Hayles

Plaintiff.....

VS.

B. O. Mc Gee

Defendant.....

Thompson & White

Received 5 day of Sept. 1963

and on 6 day of Sept 1963

I served a copy of the within Notice

on B. O. Mc Gee

By service on _____

TAYLOR WILKINS, Sheriff

By W. A. Talbot D. S.

3 miles South of RM

Sheriff claims 6 miles

Ten Cents per mile Total \$.60

TAYLOR WILKINS, Sheriff

BY W. A. Talbot

DEPUTY SHERIFF

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama—Greeting:

Whereas, J. W. Hayles

has commenced suit by Summons and Complaint returnable to the next term of the Circuit Court
of said County, against B. O. McGee

for the sum of Three hundred Twelve & 48/100----- Dollars and whereas, the said
J. W. Hayles

has entered into bond, and made affidavit by law that the said

B. O. McGee

is indebted to him in the sum of Three hundred twelve & 48/100

Dollars, and that process of garnishment is believed to be necessary to obtain satisfaction of such
judgment as may be recovered by Plaintiff, and that

Atmore Builders, Inc., a corporation

is believed to be chargeable as garnishee in the cause.

YOU ARE THEREFORE, commanded to summon the said

Atmore Builders, Inc., a corporation

to be and appear at the term of the Circuit Court, to

be holden for the County of Baldwin, on _____, 19____
then and there to answer, upon oath, whether, at the time of the service of this garnishment, or at
the time of making your answer, or at any time intervening between the time of serving the gar-
nishment and making the answer, you were indebted to the defendant, and whether, you will
not be indebted to him in the future by a contract then existing, and whether by a contract then
existing, you are liable to him 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 pro-
perty, and whether you have not in your possession or under your control money or effects be-
longing to the defendant.

Witness my hand this

15

day of

Sept

, 19

63

Alice J. Luck

Clerk.

Ed-9-9-63

ed 5 day of Sept 1963
day of Sept 1963
ed a copy of the within Writ.
Atmore Builders

Service on Atmore Builders, Inc., a
corp. served to Charlie Fridge
TAYLOR WILKINS, Sheriff
By Alton Kellers D. S.

No. 5699

Circuit Court of Baldwin County

J. W. Hayles

VS.

Garnishment On Summons

B. U. McLee

FILED

Issued SEP day 5 of 1963, 19

ALICE I. DUCK, CLERK
REGISTER

Thompson & White
Plaintiff's Attorney

BOND

The State of Alabama, }
Baldwin County

CIRCUIT COURT

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, J. W. Hayles

are held and firmly bound unto B. O. McGee

in the sum of Six Hundred Twenty-five (\$625.00) DOLLARS,

to be paid to the said B. O. McGee

heirs, executors, administrators or assigns, for which payment well and truly to be made, we bind ourselves, and each of us, our and each of our heirs, executors and administrators jointly, severally and firmly by these Presents.

Sealed with our seals, and dated this _____ day of September, 19 63

THE CONDITION OF THE ABOVE OBLIGATION IN SUCH, That whereas, the above bound

J. W. Hayles

has commenced suit in the Circuit Court of said County by summons and complaint, which have issued from said Court, to recover of said B. O. McGee

the sum of Three Hundred twelve and 48/100 (\$312.48) Dollars,

and has on the day of the date hereof, prayed that Writ of Garnishment issue out of said Court to

Atmore Builders, Inc., a corporation

summoning it to answer what it is indebted to said Defendant, or what effects of said Defendant it has in its possession, or under its control; and said Plaintiff having made oath as required by law in such cases, said Writ is about to issue out of said Court, returnable to the next Term of the Circuit Court, to be holden for Baldwin County.

NOW, if the said Plaintiff shall prosecute the Garnishment to effect, and pay the Defendant all such costs and damages as he may sustain, by reason of the wrongful or vexatious suing out of this Garnishment, then this obligation to be void; otherwise to remain in full force and effect.

AND WE, and each of us, hereby waive all rights of claim of exemption we, or either of us have now, or may hereafter have, under the Constitution and laws of Alabama, and we hereby severally certify that we have property free from all incumbrance, to the full amount of the above bond.

J. W. Hayles (Seal)
James H. Hoots (Seal)

(Seal)

Approved this _____ day of Sept A. D., 19 63

Alvin J. Duck Clerk.

The State of Alabama }
Baldwin County

Before me, ALICE J. DUCK, Clerk of Circuit Court,

in and for said County, personally appeared J. W. Hayles

who, being duly sworn, doth depose and say that B. O. McGee

indebted to him in the sum of Three Hundred twelve & 48/100 Dollars,
and that he has commenced on suit by summons and complaint on said indebtedness
against the said B. O. McGee

and that Atmore Builders, Inc., a corporation is

supposed to be indebted to the said Defendant, or to have effects of the said Defendant, in its
possession, or under its control, and that we believe that process of Garnishment against the said
B. O. McGee

is necessary to obtain satisfaction of said claim; and that the said Atmore Builders, Inc. a corp.
is believed to be chargeable as Garnishee in said cause; and that this Writ is not sued out for the purpose
of vexing or harassing said Defendant, or other improper motives.

Sworn to and subscribed before me this 5 day of Sept 1963
[Signature] Clerk Circuit Court.
[Signature] Notary Public

116	No. <u>5699</u>	THE STATE OF ALABAMA Baldwin County.	CIRCUIT COURT	Plaintiff	TO	Defendant	Bond and Affidavit in Garnishment on Summons	Filed this <u>5</u> day of <u>SEP</u> , 19 <u>63</u>	CLERK ALICE J. DUCK, REGISTER	Printed by Moore Ptg. Co.
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