

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Charles Spokane Bank Building and Equipment Company, Inc., a Corporation; Charles Spokane, individually, d/b/a Charles Spokane Bank Building and Equipment Company and Charles Spokane Bank Building and Equipment Company, a Partnership, composed of John Doe and Richard Roe, 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 the same, then and there to answer the complaint of Ben Hinote, d/b/a Bay Minette Roofing Company.

WITNESS my hand this 23 day of April, 1964.

Alice J. Clark  
Clerk

The address of Charles Spokane Bank Building and Equipment Company, Inc., a Corporation, is 239 Fourth Avenue, Pittsburgh 22, Pennsylvania.

\* \* \* \* \*

BEN HINOTE, d/b/a Bay Minette )  
Roofing Company, )  
Plaintiff, )  
VS. )  
CHARLES SPOKANE BANK BUILDING )  
AND EQUIPMENT COMPANY, INC., A )  
Corporation; CHARLES SPOKANE, )  
individually, d/b/a Charles )  
Spokane Bank Building and )  
Equipment Company and CHARLES )  
SPOKANE BANK BUILDING AND )  
EQUIPMENT COMPANY, a Partnership, )  
composed of John Doe and Richard )  
Roe, )  
Defendants. )


IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW  
6033

COMPLAINT

The plaintiff claims of the defendants Seventeen Hundred Thirty-seven Dollars (\$1737.00) due from them for work and labor done for the defendants by the plaintiff on the 15th day of January, 1964, at their request, which sum of money with the interest thereon is still unpaid.

The plaintiff avers that he is ignorant of the true name of the defendant or defendants and that when it's true name is discovered, the pleading or proceeding will be amended accordingly in compliance with Section 136, Title 7 of the 1940 Code of Alabama.

  
Attorney for Plaintiff

BEN HINOTE, d/b/a Bay Minette  
Roofing Company, )  
 )  
Plaintiff, )  
 )  
VS. )  
 )  
CHARLES SPOKANE BANK BUILDING )  
AND EQUIPMENT COMPANY, INC., a )  
Corporation, et al., )  
 )  
Defendants. )

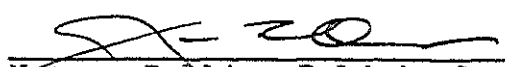
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

Personally appeared before me, the undersigned authority, Ben Hinote, who first being duly and legally sworn deposes and says that Charles Spokane Bank Building and Equipment Company, Inc., a corporation; Charles Spokane, d/b/a Charles Spokane Bank Building and Equipment Company and Charles Spokane Bank Building and Equipment Company, a Partnership, composed of John Doe and Richard Roe, is indebted to Ben Hinote, d/b/a Bay Minette Roofing Company in the sum of Seventeen Hundred Thirty-seven Dollars (\$1737.00) together with interest from January 15, 1964, and that he has commenced suit by summons and complaint returnable to the next term of the Circuit Court of Baldwin County, Alabama, against Charles Spokane Bank Building and Equipment Company, Inc., a Corporation; Charles Spokane, individually, d/b/a Charles Spokane Bank Building and Equipment Company and Charles Spokane Bank Building and Equipment, a Partnership, composed of John Doe and Richard Roe, and he believes the process of garnishment against Central Baldwin Bank, Robertsdale, Alabama, and Farmers and Merchants Bank, Foley, Alabama, is necessary to obtain satisfaction of said claim, and that said Central Baldwin Bank and Farmers and Merchants Bank has or is believed to have, in their possession or under their control, money or effects belonging to the defendants, or that they are or are believed to be indebted to the defendants or to be liable to them on a contract for the delivery of personal property, or which is payable in personal property.



Sworn to and subscribed before me on  
this the 23 day of April, 1964.

  
Notary Public, Baldwin County, Alabama

BOND

BALDWIN COUNTY )

KNOW ALL MEN BY THESE PRESENTS, That we, Ben Hinote, as Principal, and the undersigned as Sureties, are held and firmly bound unto Charles Spokane Bank Building and Equipment Company, Inc., a Corporation; Charles Spokane, d/b/a Charles Spokane Bank Building and Equipment Company and Charles Spokane Bank Building and Equipment Company, a Partnership, composed of John Doe and Richard Roe, in the sum of THIRTY FOUR HUNDRED SEVENTY FOUR DOLLARS (\$3474.00) to be paid to the said Charles Spokane Bank Building and Equipment Company, Inc., a Corporation; Charles Spokane, d/b/a Charles Spokane Bank Building and Equipment Company, and Charles Spokane Bank Building and Equipment, a Partnership composed of John Doe and Richard Roe, their 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 23<sup>rd</sup> day of April,  
1964.

The condition of the above obligation is such that whereas the above bound Ben Hinote, d/b/a Bay Minette Roofing Company has commenced suit in the Circuit Court of Baldwin County, Alabama, by summons and complaint returnable to the next term of said court to recover of said Charles Spokane Bank Building and Equipment, Inc., a Corporation; Charles Spokane, d/b/a Charles Spokane Bank Building and Equipment Company, and Charles Spokane Bank Building and Equipment Company, a Partnership, composed of John Doe and Richard Roe, the sum of Seventeen Hundred Thirty-seven Dollars (\$1737.00) and has

on the day of the date hereof, prayed that a writ of garnishment issue to Central Baldwin Bank, Robertsdale, Alabama, and Farmers and Merchants Bank, Foley, Alabama, to answer on oath whether at the time of the service of the said writ of garnishment or at the time of making their answer they had in their possession or under their control any money or effects belonging to the defendants and whether they are indebted to said defendants or are liable to them on any contract for the payment of money or 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, and said plaintiff having made affidavit as required by law in such cases and by entering into this bond, has obtained the same, returnable to the next term of the Circuit Court of Baldwin County, Alabama.

Now, if the said plaintiff shall prosecute the garnishment to effect, and pay the defendants all such costs and damages as they 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.

Bern H. H. H.  
As Principal

James H. H.  
J. C. H.  
As Sureties

Approved this 22 day of  
April, 1964.

G. H. H.  
Clerk

BEN HINOTE, d/b/a Bay Minette  
Roofing Company,  
  
Plaintiff,  
  
VS.  
  
CHARLES SPOKANE BANK BUILDING  
AND EQUIPMENT COMPANY, INC., a  
Corporation, et al.,  
  
Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
  
AT LAW  
6033

WRIT

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

WHEREAS, Ben Hinote, d/b/a Bay Minette Roofing Company, plaintiff, has commenced suit by summons and complaint returnable to the next term of the Circuit Court of Baldwin County, Alabama, against Charles Spokane Bank Building and Equipment Company, Inc., a Corporation, and Charles Spokane, individually, d/b/a Charles Spokane Bank Building and Equipment Company, and Charles Spokane Bank Building and Equipment Company, a Partnership, composed of John Doe and Richard Roe, for the sum of Seventeen Hundred Thirty-seven Dollars (\$1737.00); and whereas, the said Ben Hinote has made affidavit as required by law that the said defendants are indebted to him in the sum of Seventeen Hundred Thirty-seven Dollars (\$1737.00); that Central Baldwin Bank, Robertsdale, Alabama, and Farmers and Merchants Bank, Foley, Alabama, are supposed to be indebted to the said defendants or have effects of said defendants in their possession or under their control and that he believes that process of garnishment against the said Central Baldwin Bank, Robertsdale, Alabama, and Farmers and Merchants Bank, Foley, Alabama, is necessary to obtain satisfaction of said claim, and has given bond as required by law.

These are, therefore, to command you, that you summon the said Central Baldwin Bank, Robertsdale, Alabama, and Farmers and Merchants Bank, Foley, Alabama, to be and appear at the next term of the Circuit Court of Baldwin County, Alabama, within thirty days from the service of this writ, then and there to answer on oath,

whether at the time of the service of this writ of garnishment, or at the time of making their answer, they had in their possession or under their control, any money or effects belonging to the defendants; and whether they are indebted to said defendants or are liable to them on any contract for the payment of money or 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.

WITNESS my hand on this the 22 day of April, 1964.

Alice J. Quirk  
Clerk

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Charles Spokane Bank Building and Equipment Company, Inc., a Corporation, 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 the same, then and there to answer the complaint of Ben Hinote, d/b/a Bay Minette Roofing Company.

WITNESS my hand this 26 day of June, 1964.

Alice J. Luck  
Clerk

The address of Charles Spokane Bank Building and Equipment Company, Inc., a Corporation, is 239 Fourth Avenue, Pittsburgh 22, Pennsylvania.

\* \* \* \* \*

BEN HINOTE, d/b/a Bay Minette  
Roofing Company, )  
Plaintiff, )  
VS. )  
CHARLES SPOKANE BANK BUILDING  
AND EQUIPMENT COMPANY, INC., a )  
Corporation, )  
Defendant. )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 6033

#### AMENDED COMPLAINT

The plaintiff claims of the defendant Seventeen Hundred Thirty-seven Dollars (\$1737.00) due from it for work and labor done for the defendant by the plaintiff on the 15th day of January, 1964, at its request, which sum of money with the interest thereon is still unpaid.

The plaintiff avers that when the original complaint in this cause was filed on April 23, 1964, he was ignorant of the true name of the defendant and that since said time he has ascertained that the true name of the defendant is Charles Spokane Bank Building and



6033

Ben. Hinde d/lla -  
Bay Minette Roofing  
Co.

vs.

Charles Spokane Bank  
Bldg. & Equipment  
Co.

FILED

APR 23 1964

Alice J. Duck, CLERK  
REGISTER

Jas. R. Uwen

152

Received 23 day of April 1964  
and on 27 day of Apr. 1964  
served a copy of the within Writ  
on Central Bellows Bank  
by service on W.B. Bell  
TAYLOR WILKINS, Sheriff  
By \_\_\_\_\_ D. S.

Received 23 day of April 1964  
and on 25 day of April 1964  
served a copy of the within Writ  
on Sumner & Nuckolls  
Bank  
by service on Guo Schultz V.P.  
TAYLOR WILKINS, Sheriff  
By Karl L. Deane, S.

J.oley

Sheriff claims 12.2 miles at

Ten Cents per mile Total \$ 12.20

TAYLOR WILKINS, Sheriff

BY Childress  
DEPUTY SHERIFF

Equipment Company, Inc., a Corporation, and the said complaint is amended to show the true name of the said defendant.

  
Attorney for Plaintiff

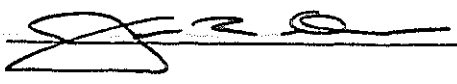
FILED

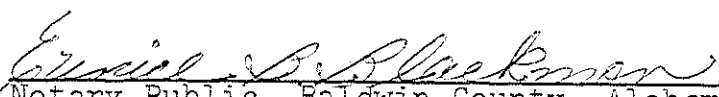
JUN 26 1964

ALICE J. DUCK, CLERK  
REGISTER

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

Before me, the undersigned authority, personally appeared James R. Owen, who first being duly and legally sworn deposes and says: That he is the attorney for the plaintiff in the case of Ben Hinote, d/b/a Bay Minette Roofing Company, plaintiff, vs. Charles Spokane Bank Building and Equipment Company, Inc., a Corporation, which is now pending in the Circuit Court of Baldwin County, Alabama, at Law, and is case number 6033; that the said defendant corporation is not qualified under the Constitution and Laws of the State of Alabama, as to doing business in said State, although the said defendant has done business and performed work or service in this State; that the residence and last known post office address of the said defendant is 239 Fourth Avenue, Pittsburgh 22, Pennsylvania.

  
Sworn to and subscribed before me on  
this the 16 day of June, 1964.

  
Notary Public, Baldwin County, Alabama

Please serve the defendant in accordance with Title 7,  
Section 199(1).

FILED

JUN 26 1964

ALICE J. DUCK, CLERK  
REGISTER

64-6-29-64 on Sec. 7 State

6033

Ben Hinoe d/b/a Bay  
Minette Roofing Co.

Pt/f.

vs.

Charles Spokane Bank  
Building & Equipment Co.  
Inc. a Corp.

FILED

JUN 26 1964

ALICE A. DUCK, CLERK  
REGISTER

James R. Owen,  
Attorney

(3)

1310

RECEIVED IN OFFICE  
JUN 29 1964  
M. S. BUTLER, Sheriff

Executed by serving <sup>3</sup> copies of  
the within on Agnes Baggett  
Secretary of State of The State of  
Alabama.

This the 29 day of June 1964.

Sheriff of Montgomery County  
M. S. Butler,

By M. S. Butler D. S.

The Sheriff claims 2  
miles at 10c per mile for a total  
of \$ 20  
M. S. Butler, Sheriff  
Montgomery County, Ala.

BEN HINOTE, d/b/a Bay Minette  
Roofing Company,

Plaintiff,

VS.

CHARLES SPOKANE BANK BUILDING  
AND EQUIPMENT COMPANY, INC., A  
Corporation,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

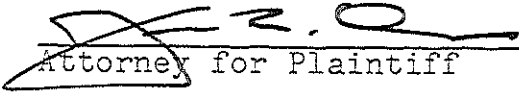
6033

MOTION FOR SERVICE BY PUBLICATION

Now comes the plaintiff in the above styled cause, by his attorney, and shows unto the court that, as shown by the file in this case, the summons and complaint were sent by certified mail, return receipt requested, on June 29, 1964, which said summons and complaint were returned to the Secretary of State marked "Moved, left no address".

Plaintiff further shows unto the court that he has no better address for the defendant than that shown in the previous affidavit heretofore filed in this cause, giving the address of the defendant as 239 Fourth Avenue, Pittsburgh 22, Pennsylvania, and that he has been unable to ascertain any other address for the defendant although he has made diligent effort to do so.

WHEREFORE, plaintiff prays that the court will make and enter an order of publication to the said Charles Spokane Bank Building and Equipment Company, Inc., a Corporation, as a non-resident defendant as provided by Title 7, Section 204 of the 1940 Code of Alabama.

  
Attorney for Plaintiff

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

Before me, the undersigned authority, personally appeared James R. Owen, who first being duly and legally sworn deposes and says: That he is the attorney for the plaintiff in the above styled cause; that he has read over the foregoing motion and that the same is true to the best of his knowledge, information and belief.

FILED

JUL 22 1964

ALICE J. DICK, CLERK  
REGISTER

Sworn to and subscribed before me  
on this the 22nd day of July, 1964.

Ernestine R. Sims  
Notary Public, Baldwin County, Alabama

FILED

JUL 22 1964

ALICE J. DUCK, CLERK  
REGISTER

BEN HINOTE, d/b/a Bay Minette  
Roofing Company,

Plaintiff,

VS.

CHARLES SPOKANE BANK BUILDING  
AND EQUIPMENT COMPANY, INC., A  
Corporation,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW


6033

ORDER OF PUBLICATION

TO: Charles Spokane Bank Building  
and Equipment Company, Inc., a  
Corporation,

You are hereby notified that Ben Hinote, d/b/a Bay Minette Roofing Company, has filed in this court a complaint against Charles Spokane Bank Building and Equipment Company, Inc., a Corporation, for work and labor done for the defendant by the plaintiff on the 15th day of January, 1964, and notice is further directed to the said defendant that it is required to demur, plead to, or answer the complaint filed in this case within forty days from July 30, 1964, or in default thereof the said plaintiff will be entitled to a judgment against the said defendant at any time thereafter.

DATED this 23 day of July, 1964.

  
Clerk

I, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that the above order of publication was published for three successive weeks in the Baldwin Times, a newspaper published in Baldwin County, Alabama, beginning on July 30, 1964, and thereafter on August 6, 1964, and August 13, 1964. I further certify that a copy thereof was posted at the courthouse of Baldwin County, Alabama, immediately after the issuance thereof.

DATED this \_\_\_\_\_ day of August, 1964.

\_\_\_\_\_  
Clerk

# The Baldwin Times

"Baldwin's Only All County Newspaper"

BAY MINETTE, ALABAMA

J. H. FAULKNER, Publisher

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

J. H. Faulkner, Jr., being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

BEN HINOTE, d/b/a Bay Minette Roofing Company, Plaintiff.  
VS.  
CHARLES SPOKANE BANK BUILDING AND EQUIPMENT COMPANY, INC., A Corporation, Defendant.  
In The Circuit Court Of Baldwin County, Alabama  
At Law  
6033

ORDER OF PUBLICATION  
TO: Charles Spokane Bank Building and Equipment Company, Inc., A Corporation,

Your are hereby notified that Ben Hinote, d/b/a Bay Minette Roofing Company, has filed in this court a complaint against Charles Spokane Bank Building and Equipment Company, Inc., a Corporation, for work and labor done for the defendant by the plaintiff on the 15th day of January, 1964, and notice is further directed to the said defendant that it is required to demur, plead to, or answer the complaint filed in this case within forty days from July 30, 1964, or in default thereof the said plaintiff will be entitled to a judgment against the said defendant at any time thereafter.

DATED this 23rd day of July, 1964.  
/s/ ALICE I. DUCK  
Clerk

30-3c

Ben Hinote vs.  
Charles Spokane Bank Building  
and Equipment Co., Inc.  
Circuit Court

### COST STATEMENT

161 WORDS @ .05 cents \_\_\_\_\_ \$ 8.05  
I hereby certify this is correct, due and unpaid (paid).

J. H. Faulkner, Jr.  
Editor.

was published in said newspaper for 3 consecutive weeks in the following issues:

Date of 1st publication July 30, 1964 Vol. 75 No. 30

Date of 2nd publication Aug. 6, 1964 Vol. 75 No. 31

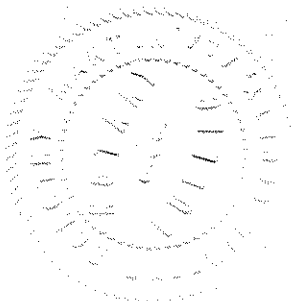
Date of 3rd publication Aug 13, 1964 Vol. 75 No. 32

Date of 4th publication \_\_\_\_\_, 19\_\_\_\_ Vol. \_\_\_\_\_ No. \_\_\_\_\_

Subscribed and sworn before the undersigned this 17 day of Aug, 1964

Dorothy Martin  
Notary Public, Baldwin County

J. H. Faulkner, Jr.  
Editor.



FILED  
AUG 18 1964  
CLERK  
BALDWIN COUNTY, ALABAMA



BEN HINOTE, d/b/a Bay Minette  
Roofing Company,

Plaintiff,

vs.

CHARLES SPOKANE BANK BUILDING  
AND EQUIPMENT COMPANY, INC., a  
Corporation, et al.,

Defendants.

FARMERS AND MERCHANTS BANK of  
Foley, Alabama, a State Bank  
Banking Association,

Garnishee

IN THE CIRCUIT COURT OF

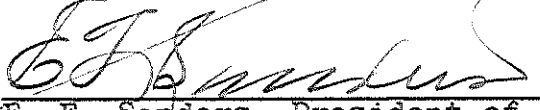
BALDWIN COUNTY, ALABAMA

AT LAW

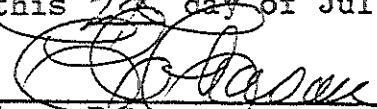
CASE NO. 6033

ANSWER

Personally appeared before me, the undersigned Notary Public within and for said County and State, E. F. Sanders, who is personally known to me, and who being by me duly sworn, on oath says, that he is President of Farmers and Merchants Bank of Foley, Alabama, and as such has authority to make answer for the garnishee in the above styled case, and answering the garnishment therein he says that the garnishee 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 it will not be indebted in the future to the said defendant by any contract then or now existing and it 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 it has not in its possession or under its control money or effects belonging to the Defendant, Charles Spokane Bank Building and Equipment Company, Inc., a Corporation, et al.

  
E. F. Sanders, President of  
Farmers and Merchants Bank of  
Foley, Alabama

Sworn to and subscribed before  
me this 25 day of July, 1964.

  
Notary Public, Baldwin County  
State of Alabama

FILED

AUG 21 1964

AUG 1 1964

JAMES R. OWEN  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA 36507

December 18, 1964

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

Dear Mrs. Duck:

Please dismiss the case of Ben Hinote,  
doing business as Bay Minette Roofing and Sheet  
Metal, vs. Charles Spokane Bank Building, et al.

Yours very truly,



JAMES R. OWEN

JRO/ers



STATE OF ALABAMA  
OFFICE OF SECRETARY OF STATE  
MONTGOMERY, ALABAMA

MRS. AGNES BAGGETT  
SECRETARY OF STATE

July 14, 1964

Hon. James R. Owen  
110 Courthouse Sq.  
Bay Minette, Ala.

Dear Mr. Owen:

Re: Ben Hinote, d/b/a Bay Minette Roofing Company  
VS Charles Spokane Bank Building & Equipment Co.

Please refer to your file in the above-styled cause and be advised that on June 29, I sent by certified mail, return receipt requested, deliver to addressee only, my notice, with copy of Summons and Complaint attached, to:

Charles Spokane Bank Building and Equipment Company,  
Inc.  
239 Fourth Ave.  
Pittsburgh 22, Pa.

On Jul 8, this letter (Certified No. 20108 ) was returned to me with reason for non-delivery given as "MOVED, LEFT NO ADDRESS".

Will you please advise me as to any further efforts you wish me to make in perfecting this service.

Yours very truly,

Mrs. Agnes Baggett  
Secretary of State

cc: Hon. Alice J. Duck, Clerk  
Circuit Court of Baldwin County  
Bay Minette, Ala.

ALICE J. DUCK, Circuit Clerk  
**BALDWIN COUNTY**  
BAY MINETTE, ALA.  
36507



**CERTIFIED**

No. 277903

**MAIL**

NOTE - Returned at Sender's Req

Charles Spokane Bank Building and Equipment Co., Inc.,  
239 Fourth Avenue  
Pittsburgh 22, Pennsylvania

REASON CHECKED  
Unclaimed \_\_\_\_\_  
Unknown \_\_\_\_\_  
Insufficient address \_\_\_\_\_  
Moved, Left no address \_\_\_\_\_  
No such office in state \_\_\_\_\_  
Deceased \_\_\_\_\_  
Do not remain in the \_\_\_\_\_

RETURN RECEIPT REQUESTED

FORM 3858  
APR 28 1964

Deliver to Addressee Only

CERTIFIED MAIL  
For Delivery Only To Person  
To Whom Addressed  
Return Receipt Requested

RECEIPT FOR REGISTERED ARTICLE No. 259

Fee paid 60  
5-29, 1964  
(Date)

Class postage paid 1  
Declared value, \$ none  
Return receipt fee 10  
Special delivery fee \_\_\_\_\_

Surchage paid, \$ \_\_\_\_\_  
Restricted delivery  
(Accepting employee will place initials in proper space)  
in person 50  
or order \_\_\_\_\_

From Alice J. Duck Clerk  
(Post office and State)  
Bay Minette, Ala.

Addressed to Charles Spokane Bank Bldg & Equip Co Inc  
(Address)  
239 Fourth Ave Pittsburgh Pa  
(Street and number)  
(Post office and State)



GPO c9-16-12866-5

Postmaster, per