

Defendant, or is liable to her 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 7th day of February, 1962.

Ex-2-9-62

Alice J. Duck
Clerk

FILED

FEB 7 1962

ALICE J. DUCK, CLERK
REGISTER

State of Alabama
BALDWIN COUNTY

TO Mrs. Frances G. Mallory, Defendant:

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

Mrs. A. W. Cawthon, Plaintiff,

versus Frances G. Mallory, Defendant,

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

ELBERTA and FARMERS AND MERCHANTS BANK OF FOLEY

have been named as Garnishees.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this 17th

day of February, 1962

64-2-15-62

Alvin J. Purck
Clerk of the Circuit Court.

224

MRS. A. W. CAWTHON,

Plaintiff

VS

FRANCES G. MALLORY,

Defendant

and

STATE BANK OF ELBERTA,
a Corporation

Garnishee


IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

No. 2896

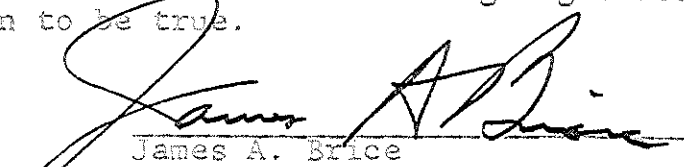
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Comes now the garnishee, by its attorney, and for answer to the writ of garnishment in the above styled action, states that it has not, nor has it had, any funds belonging to the Defendant in its possession or its control.


James A. Brice
Attorney for Garnishee

STATE OF ALABAMA)
COUNTY OF BALDWIN)

Before me, the undersigned Notary Public in and for said State and County, personally appeared James A. Brice, who being by me first duly sworn, deposes and says that he is the attorney for the State Bank of Elberta and that he has read the foregoing statement and knows the facts herein to be true.


James A. Brice

Sworn to and subscribed before me this 6th day of March 1962.


Notary Public

FILED
MAR 7 1962
ALICE L. DUCK, CLERK
REGISTER

MRS. A. W. CAWTHON,
Plaintiff,

VS.

FRANCES G. MALLORY,
Defendant.

and

STATE BANK OF ELBERTA,
a Corporation,

Garnishee.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

NO. 2896 1/2

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

Whereas, James R. Owen has made affidavit as required by law that Mrs. A. W. Cawthon at the March Term, 1957, of the Circuit Court of Baldwin County, Alabama, recovered a judgment against Frances G. Mallory for the sum of Six Hundred Sixty-six and 66/100 Dollars (\$666.66) and the further sum of Thirty-four and 20/100 Dollars (\$34.20) costs of suit, and that he believes that the process of garnishment is necessary to obtain satisfaction of said judgment and that State Bank of Elberta, a Corporation, has or is believed to have in its possession, or under its control, money or effects belonging to the Defendant, or that it is, or is believed to be indebted to the Defendant, or to be liable to her on the 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.

These are therefore, to command you, that you summon the said State Bank of Elberta, a Corporation, to be and appear at the next term of the Circuit Court of Baldwin County, Alabama, within thirty days after the service of this writ of garnishment, then and there to answer on oath, whether at the time of the service of this writ, or at the time of making its answer it has in its possession, or under its control, any money or effects belonging to the said

Defendant and whether it is indebted to said Defendant, or is liable to her 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 1st day of February, 1962.

E4-2-9-62

Alfred. H. H. H.
Clerk

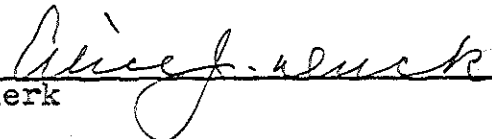
MRS. A. W. CAWTHON,
Plaintiff,
VS.
FRANCES G. MALLORY,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 2896 $\frac{1}{2}$

STATE OF ALABAMA)
*
BALDWIN COUNTY)

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for said County, James R. Owen, who first being duly and legally sworn deposes and says: That at the March Term, 1957, of the Circuit Court of Baldwin County, Alabama, Mrs. A. W. Cawthon recovered a judgment against Frances G. Mallory for the sum of Six Hundred Sixty-six and 66/100 Dollars (\$666.66) and the further sum of Thirty-four and 20/100 Dollars (\$34.20) costs of suit, and he believes the process of garnishment is necessary to obtain satisfaction of said judgment and that State Bank of Elberta, a Corporation, and Farmers & Merchants Bank of Foley, a Corporation, have, or is believed to have in its possession or under its control money or effects belonging to the Defendant, or that it is or is believed to be indebted to the Defendant, or to be liable to her on a contract for 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.

Sworn to and subscribed before me
on this the 7th day of February, 1962.


Clerk

MRS. A. W. CANTHON,

Plaintiff,

VS.

FRANCES G. MALLORY,

Defendant,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2896½

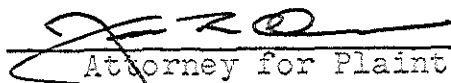
REQUEST FOR DISCOVERY OF ASSETS

The Plaintiff herein having recovered at the March Term 1957, a judgment against the Defendant in the above styled cause for the sum of SIX HUNDRED SIXTY-SIX AND 66/100 (\$666.66) and costs and an execution having been returned endorsed by the Sheriff of Baldwin County, Alabama, "No Property Found", the Plaintiff now requests in writing that the Clerk of this Court issue a notice to the above named Defendant, requiring her, within thirty days from the service of such notice, to file in this cause a statement in writing, under oath, of all of her assets of every kind, character and description wheresoever located, as provided by Title 7, Section 903 of the 1940 Code of Alabama.

FILED

APR 8 1962

ALICE J. DUCK, CLERK
REGISTER


Attorney for Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS:- That I, Frances G. Mallory, a resident citizen of Baldwin County, State of Alabama, do hereby claim as exemption to me from levy and sale under legal process the following described personal property, to-wit:-

One (1) 1955 Tudor Sedan, of a value not in excess of \$200.00;

~~Furniture and household fixtures and equipment of a value not in excess of \$350.00;~~

Miscellaneous personalty of a value not in excess of \$350.00;

Also, all items of wearing apparrell, etc., as exempted by Section 629, of Title 7 of the Code of Alabama of 1940.

I hereby further certify that the valuation of the items as above set out is reasonable, and that I have no other property or assets.

Frances G. Mallory

Sworn to and subscribed before me,
a Notary Public, on this the 2
day of May, 1962.

[Signature]
Notary Public, Baldwin County
State of Alabama

FILED

MAY 4 1962

ALICE L. DUCK, CLERK
REGISTER

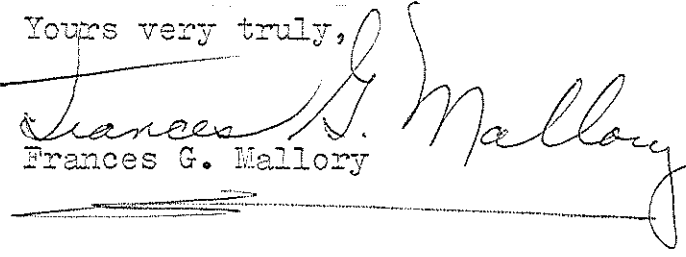
Foley, Alabama
May 2, 1962

Mrs. Alice J. Duck, Clerk
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith, in duplicate, is my statement in writing, under oath, in connection with the Judgement obtained against me, being Mrs. A. W. Cawthon -vs- Frances G. Mallory, Case No. 2896 $\frac{1}{2}$.

Yours very truly,


Frances G. Mallory

/fgm

encls. as noted.

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

April 23, 1962

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed is Petition to show answer has been
filed in the case of Cawthon vs Mallory and Farmers
& Merchants Bank, Case No. 2896½.

Yours very truly,

A handwritten signature in dark ink, appearing to read "C. G. Chason", with a large, stylized flourish at the end.

C. G. Chason

CGC:DC

Encl. 1

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

March 31, 1962

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

Dear Mrs. Duck:

I am enclosing herewith Answer in Garnishment
of E. Frank Sanders, President of the Farmers & Merchants
Bank, with a copy thereof being sent to Mr. Owen.

Very truly yours,



C. G. Chason

CGC.bs

MRS. A. W. CAWTHON,

Plaintiff,

VS.

FRANCES G. MALLORY,

Defendant,

and

FARMERS & MERCHANTS BANK OF
FOLEY, a Corporation,

Garnishee.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 2896½

NOTICE OF JUDGMENT NISI

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

Whereas, on March _____, 1962, the Circuit Court of Baldwin County, Alabama, at Law, made and entered the following judgment, to-wit:

"It being shown to the Court that the garnishee, Farmers & Merchants Bank of Foley, a Corporation, has failed to file its answer as required by law and it appearing to the Court that a writ of garnishment has been duly issued in this cause by the Clerk of this Court and served upon said garnishee on February 15, 1962; it is, therefore, considered by the Court that the Plaintiff recover of the garnishee the sum of Eight Hundred Forty and 86/100 Dollars (\$840.86) and also the costs of this garnishment, unless at the present term of this Court, and within thirty days after the service of the rendition of this judgment, the said garnishee appear and show cause why this judgment should not be made final and absolute, and that a copy of this order be served upon said garnishee as required by law.

ORDERED, ADJUDGED AND DECREED on this the 23 day of March, 1962."

These are, therefore, to command you, that you make known the premises aforesaid to the said Farmers & Merchants Bank of Foley, a Corporation, and it be and appear at the present term of said Court at the place of holding the same and within thirty

days after serve of the rendition of said judgment to show cause why said judgment should not be made final and absolute against it and have you then and there this writ with your endorsement thereon.

WITNESS my hand as Clerk of the Circuit Court of Baldwin County, Alabama, at Law, on this the 23 day of March, 1962.

Ex-527-62

Alvin J. Smith
Clerk

MRS. A. W. CAWTHON,

Plaintiff,

VS.

FRANCES G. MALLORY,

Defendant.

and

FARMERS & MERCHANTS BANK
OF FOLEY, a Corporation,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 2896½

ANSWER IN GARNISHMENT

Personally appeared before me, C. G. Chason,
a Notary Public in and for Baldwin County, State of Alabama,
E. FRANK SANDERS, who is known to me and who being by me duly
and legally sworn, deposes and says on oath, that he is President
of the FARMERS & MERCHANTS BANK, a State Banking Corporation of
Foley, Alabama, and as such officer, has authority to make answer
for the garnishee in the above stated cause and answering the
garnishment therein, he says that the garnishee is not now in-
debted to the defendant in any sum whatever and was not indebted
to her at the time of service of the garnishment nor at any
time intervening, between the time of 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 that 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 nor under its control money or
effects belonging to the defendant but that the defendant is in
fact indebted to the said garnishee.

Sworn to and subscribed before me this 30 day of

Sept, 1962.

FILED

APR 3 1962

ALICE J. DUCK, CLERK
REGISTER

C. G. Chason
Notary Public

MRS. A. W. CAWTHON,

Plaintiff,

VS.

FRANCES G. MALLORY,

Defendant,

and

FARMERS & MERCHANTS BANK OF
FOLEY, a Corporation,

Garnishee.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2896½

JUDGMENT NISI

It being shown to the Court that the garnishee, Farmers & Merchants Bank of Foley, a Corporation, has failed to file its answer as required by law and it appearing to the Court that a writ of garnishment has been duly issued in this cause by the Clerk of this Court and served upon said garnishee on February 15, 1962; it is, therefore, considered by the Court that the Plaintiff recover of the garnishee the sum of Eight Hundred forty and 86/100 Dollars (\$840.86) and also the costs of this garnishment, unless at the present term of this Court, and within thirty days after the service of the rendition of this judgment, the said garnishee appear and show cause why this judgment should not be made final and absolute, and that a copy of this order be served upon said garnishee as required by law.

ORDERED, ADJUDGED AND DECREED on this the 23 day of
March, 1962.


Judge

MRS. A. W. CAWTHON,

Plaintiff,

VS.

FRANCES G. MALLORY,

Defendant,

and

FARMERS & MERCHANTS BANK OF
FOLEY, a Corporation,

Garnishee.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2896½

MOTION FOR CONDITIONAL JUDGMENT

Now comes the Plaintiff, by her attorney and shows unto the Court and your Honor that the Garnishee, Farmers & Merchants Bank of Foley, a Corporation, was served with a copy of the writ of garnishment in this cause on February 15, 1962, and has failed to file its answer as required by law, wherefore, Plaintiff moves the Court to enter a conditional judgment against the said Garnishee for the sum of Six Hundred Sixty-six and 66/100 Dollars (\$666.66), together with interest since the March term of this court, 1957, together with costs in the amount of Thirty-four and 20/100 Dollars (\$34.20) and the costs of this garnishment.

Dated this 20th day of March, 1962.


Attorney for Plaintiff

MRS. A. W. CAWTHON,
Plaintiff,

VS

FRANCES G. MALLORY,
Defendant,

and

FARMERS & MERCHANTS BANK OF
FOLEY, a Corporation,
Garnishee

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 2896½

Comes the Farmers & Merchants Bank, Garnishee, in the above styled cause and shows unto the Court that Answer in said garnishment has been filed prior to the service of Notice of Conditional Judgment, and therefore shows that said judgment should not be made final, but should be set aside.

FARMERS & MERCHANTS BANK

By E. F. Sanders
E. F. Sanders, President

STATE OF ALABAMA

BALDWIN COUNTY

Before me, C. G. Chason, a Notary Public in and for said County in said State, personally appeared E. F. Sanders, who is known to me and who after being by me, first duly and legally sworn, deposes and says under oath as follows: That he is President of the Farmers & Merchants Bank of Foley, a state banking corporation, and that the matters and facts alleged in the foregoing are true and correct according to the best of his knowledge, information and belief.

Sworn to and subscribed before
me, a Notary Public, on this
24 day of April, 1962.

C. G. Chason

Notary Public, Baldwin County
State of Alabama

FILED

APR 25 1962

ALICE J. DUCK, CLERK
REGISTER

MRS. A. W. CAWTHON,

Plaintiff,

VS.

FRANCES G. MALLORY,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2896½

TO FRANCES G. MALLORY, DEFENDANT:

Take notice, that, whereas, the Plaintiff in the above styled cause has requested, in writing, the undersigned, as Clerk of said Court, to issue notice to you, as Defendant in the above styled cause, and in the judgment therein, requiring you to file a statement, in writing, under oath, of all your assets, as provided in Title 7, Section 903 of the 1940 Code of Alabama and has filed said request, in writing, in this cause with the Clerk of this Court and it appearing from said request and the record in said cause that an execution was returned on the judgment in this cause endorsed "No Property Found" by the Sheriff of Baldwin County, Alabama:

Now, therefore, you are hereby required, within thirty 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, mixed or any interest therein, with 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 liens, mortgages or encumbrances thereon showing the amounts due upon each, and the owner or holder of such liens, encumbrances or mortgages

WITNESS my hand this 6 day of April, 1962.

Alice J. Duck
Clerk

TO THE SHERIFF OF BALDWIN COUNTY, ALABAMA, GREETING:

You are hereby commanded to serve the foregoing notice upon Frances G. Mallory, Defendant, and make due return of your said service and of this notice, within thirty days from this date, how you have executed the same.

WITNESS my hand this 6 day of April, 1962.

Alice J. Duck
Clerk

FILED

APR 10 1962

ALICE J. DUCK, CLERK, REGISTER

Ed-4-18-62

231

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

May 25, 1959

Mrs. Alice J. Duck, Clerk
Bay Minette, Alabama

Dear Mrs. Duck:

I am enclosing herewith answer in Garnishment in the case
of Mrs. A. W. Cawthon -vs- Frances G. Mallory.

Yours very truly,



C. G. Chason

CGC:fm

encls. 1

MRS. A. W. CAWTHON,)
Plaintiff,) IN THE CIRCUIT COURT OF
vs.) BALDWIN COUNTY, ALABAMA
FRANCES G. MALLORY,) AT LAW. NO. 2896^{1/2}
Defendant.)
and)
CECIL G. CHASON,)
Garnishee.)

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

WHEREAS, James R. Owen has made affidavit as required by law that Mrs. A. W. Cawthon at the March Term, 1957, of the Circuit Court of Baldwin County, Alabama, recovered a judgment against Frances G. Mallory for the sum of SIX HUNDRED SIXTY SIX AND 66/100 DOLLARS (\$666.66) and the further sum of THIRTY FOUR AND 20/100 DOLLARS (\$34.20), costs of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment and that Cecil G. Chason has, or is believed to have in his possession, or under his control, money or effects belonging to the Defendant, or that he is, or is believed to be indebted to the Defendant, or to be liable to her on the 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.

THESE ARE THEREFORE, TO COMMAND YOU, that you summon the said Cecil G. Chason to be and appear at the next term of the Circuit Court of Baldwin County, Alabama, within thirty days after the service of this writ of garnishment, then and there to answer on oath, whether at the time of the service of this writ, or at the time of making his answer he has in his possession, or under his control, any money or effects belonging to the said Defendant and whether he is indebted to said Defendant, or is liable to her

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 13 day of December, 1957.

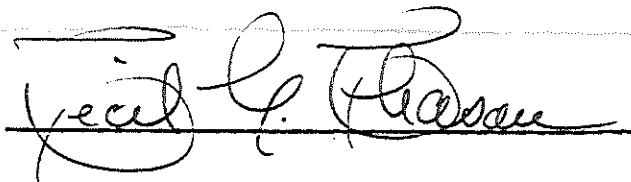
Ex. 12-21-57

Reis J. Albrecht
Clerk.


MRS. A. W. CAWTHON,
 Plaintiff,
 -vs-
 FRANCES G. MALLORY,
 Defendant.
 -and-
 CECIL G. CHASON,
 Garnishee.

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA
 AT LAW. No. 2896½

Personally appeared before me, _____, a
 Notary Public in and for said County and said State, Cecil G.
 Chason, who is known to me and who, being by me first duly sworn,
 says on oath that he is the Garnishee in the above styled cause,
 and for answer to said garnishment says that he is not now
 indebted to the defendant in any sum whatever, and was not in-
 debted to her at the time of service of this garnishment, nor at
 any time intervening between the time of service of garnishment
 and the making of this answer, in that the defendant is indebted
 to him in a sum in excess of the payment she is to receive weekly
 while employed, and that the sum of indebtedness has not been
 repaid, and that he will not be indebted in the future to the
 said defendant 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, inasmuch as the defendant is not
 employed by him on a contract basis, nor does he have in his
 possession or under his control money or effects belonging to the
 defendant.



Sworn to and subscribed before
 me, a Notary Public, on this the
 23rd day of May, 1959.


 Notary Public, Baldwin County
 State of Alabama

MRS. A. W. CAWTHON,
Plaintiff,
vs.
FRANCES G. MALLORY,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW.
NO. 2896 *h*

STATE OF ALABAMA)
*
BALDWIN COUNTY)

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for said County, James R. Owen, who first being duly and legally sworn, deposes and says, that at the March Term, 1957, of the Circuit Court of Baldwin County, Alabama, Mrs. A. W. Cawthon recovered a judgment against Frances G. Mallory for the sum of SIX HUNDRED SIXTY SIX and 66/100 DOLLARS (\$666.66) and the further sum of THIRTY FOUR AND 20/100 DOLLARS (\$34.20) costs of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment and that Cecil G. Chason has, or is believed to have in his possession or under his control, money or effects belonging to the defendant, or that he is, or is believed to be indebted to the defendant, or to be liable to her on a contract for 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.

James R. Owen

Sworn to and subscribed before me
on this the 13th day of December
1957.

Alice J. Duck
Clerk.

MRS. A. W. CAWTHON,

Plaintiff,

vs.

FRANCES G. MALLORY,

Defendant.

and

CECIL G. CHASON,

Garnishee.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO. 2896^{1/2}

NOTICE TO DEFENDANT:

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to notify Frances G. Mallory that on the 13 day of December, 1957, a Writ of Garnishment in the above styled cause was issued to Cecil G. Chason, as Garnishee.

And you will return this Writ according to law.

WITNESS my hand this 13 day of December, 1957.

Exp 12-21-57

Reiss J. Black
Clerk.