

STATE OF ALABAMA
BALDWIN COUNTY

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon C. M. NORTHCUTT 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, at Law, in said State and County, by HERBERT ENGLAND, d/b/a H. ENGLAND LUMBER COMPANY.

Herein fail not. Due return make of this writ as the law directs.

Witness my hand this the 26 day of Aug, 1957.

Reisley Duck
CLERK OF COURT

HERBERT ENGLAND, d/b/a H.
ENGLAND LUMBER COMPANY,

PLAINTIFF

VS.

C. M. NORTHCUTT,

DEFENDANT

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

COUNT ONE:

The Plaintiff claims of the Defendant the sum of Three Hundred Eight and 19/100 Dollars (\$308.19) due from him by account on the 21st day of February, 1956, which sum of money, with the interest thereon, is still unpaid.

COUNT TWO:

The Plaintiff claims of the Defendant the sum of Three Hundred Eight and 19/100 Dollars (\$308.19), due from him for merchandise, goods and chattels, sold by the Plaintiff to the Defendant on the 21st day of February, 1956; on the 23rd day of February, 1956; and on the 7th day of March, 1956, which sum of money, with the interest thereon, is still unpaid.

Itemized and verified statement
of account attached to the original
hereof.

James M. Butler
ATTORNEY FOR PLAINTIFF

James M. Butler
ATTORNEY FOR PLAINTIFF

November 23, 1957

Woodhaven Dairy Inc.
Robertsdale, Alabama

Gentlemen:

Re: Herbert England
vs
C.M. Northcutt
Woodhaven Dairy Inc.
Garnishee

This will acknowledge receipt of the check in the amount of \$339.03, amount of the garnishment in the above styled cause. There is yet due \$34.95 Court cost (\$16.85 in the original case and \$18.30 for the garnishment) and upon receipt of this amount the garnishee will be released.

Yours very truly,

Clerk, Circuit Court

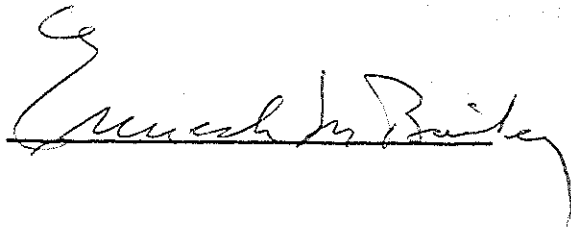
C.C. Hon. E.M. Bailey
Fairhope, Alabama
encl.
AJD/eb

STATE OF ALABAMA

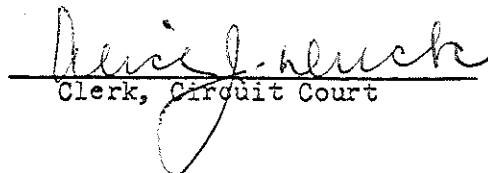
BALDWIN COUNTY

AFFIDAVIT

Before me, ALICE J. DUCK, Clerk of Circuit Court, in and for said County, personally appeared ERNEST M. BAILEY, Attorney at Law, who, being duly sworn doth depose and say that C. M. NORTHCUTT is indebted to HERBERT ENGLAND, d/b/a H. ENGLAND LUMBER CO. in the sum of THREE HUNDRED THIRTY NINE DOLLARS and THREE CENTS (\$339.03) and that Herbert England d/b/a H. England Lumber Co obtained a Judgment against the said C. M. Northcutt at the regular October 1957 term of the Circuit Court of Baldwin County-to-wit: October 15, 1957 and that WOODHAVEN DAIRY, INC. is suppose to be indebted to the said Defendant, or to have effects of the said Defendant in its possession or under its control, and that he believes that the process of Garnishment against the said WOODHAVEN DAIRY, INC. is necessary to obtain satisfaction of said judgment, and that the said WOODHAVEN DAIRY, INC., is believed to be charagable 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 4th day of November, 1957



Clerk, Circuit Court

State of Alabama
BALDWIN COUNTY

TO C. M. NORTHUTT, Defendant:

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

HERBERT ENGLAND d/b/a H. ENGLAND LUMBER CO., Plaintiff,

versus C. M. NORTHUTT, Defendant,

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

WOODHAVEN DAIRY, INC.

has been named as Garnishee.

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

day of November, 1947

Reice J. Rush

Clerk of the Circuit Court.

Garnishment on Judgment.

The State of Alabama,
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

November

TERM, 1957

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular October Term, 1957, of the Circuit Court of Baldwin County,
to-wit: On the 15th day of October, 1957, being a regular day of
said term, HERBERT ENGLAND d/b/a H. ENGLAND LUMBER CO.

recovered judgment against C. M. Northcutt

for the sum of \$339.03 Dollars, and cost of suit,
and affidavit having been made by Ernest M. Bailey, Attorney
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the
following named persons or corporations, viz:

WOODHAVEN DAIRY, INC. Robertsdale, Alabama

has or is believed to have in its possession, or under its control money
or effects belonging to said defendant Northcutt or that it is, or
is believed to be indebted to said defendant Northcutt 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

WOODHAVEN DAIRY, INC.

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 within 30 days from date Monday in November, A. D. 1957,
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 its answer, or at any time intervening the time of serv-
ing the garnishment, and making the answer it was indebted to said defendant
C. M. Northcutt and whether it will not be indebted in future to said defendant
by a contract then existing, and whether by a contract then existing it
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 it has not in its possession or under its control money or
effects belonging to the defendant C. M. Northcutt

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

Witness, ALICE J. DUCK, Clerk of said Court, this 4th day of November, A. D., 1957

Issued day of A. D., 1957

ATTEST:

Alice J. Duck, Clerk.