

GEORGE P. WOOLF, INC.
A Corporation,

Plaintiff,

Vs.

SAM WILLIAMS,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 7427

DEMURRER

Comes now the Defendant in above styled-cause, by his attorney, Kenneth Cooper, Esquire, and demurs to the complaint heretofore filed in this cause, and to each and every count thereof, and assigns the following reasons therefor, separately and severally, to each and every count thereof, to-wit:

1. The complaint nor any count thereof, states a legal cause of action.
2. The complaint fails to state when the cause of action arose.
3. Count one of the complaint fails to allege when the money became due.
4. Count two of the complaint fails to allege when the money became due.
5. The complaint is vague.
6. The complaint is uncertain.

Kenneth Cooper
ATTORNEY FOR DEFENDANT

I certify that I have mailed a copy of the foregoing DEMURRER to Chason, Stone and Chason, Attorneys At Law, Bay Minette, Alabama, by depositing the same in United States Mail, postage prepaid, at Bay Minette, Alabama, on this 5th day of April, 1967.

Kenneth Cooper
ATTORNEY FOR DEFENDANT

FILED
APR 6 1967
U.S. DISTRICT COURT
BAY MINETTE, ALA.

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 74-27

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Sam Williams

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.....

Sam Williams

....., Defendant.....

by

George P. Woolf, Inc., a Corp.

....., Plaintiff.....

Witness my hand this 29th day of March 1967

67-3-29-67

Alice J. Huer Clerk

No.....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

GEORGE P. WOOLF, INC.,
a corporation,

Plaintiff,

vs.

SAM WILLIAMS,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

7427

COUNT ONE:

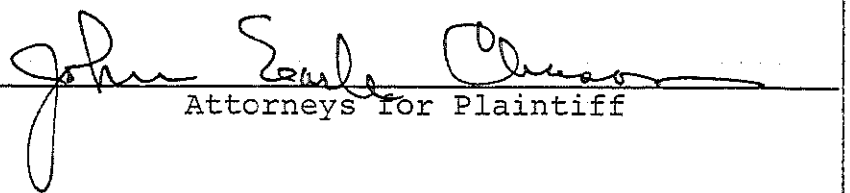
The Plaintiff claims of the Defendant the sum of One Thousand Five Hundred Forty-six Dollars and Eighty-seven Cents (\$1,546.87) due from him for money loaned by the Plaintiff to the Defendant from September, 1965, through June, 1966, which sum of money, with the interest thereon, is still unpaid.

COUNT TWO:

The Plaintiff claims of the Defendant the sum of One Thousand Five Hundred Forty-six Dollars and Eighty-seven Cents (\$1,546.87) for money paid by the Plaintiff for the Defendant from September, 1965, through June, 1966, which sum of money, with the interest thereon, is still unpaid.

CHASON, STONE & CHASON

By:



Attorneys for Plaintiff

FILED

MAR 29 1967

ALICE L. WICK, CLERK
REGISTERED

1421
GEORGE P. WOOLF, INC.,
a corporation,

Plaintiff,

vs.

SAM WILLIAMS,
Latham
Defendant.

Received 29 day of March 1967
and on 29 day of March 1967

I served a copy of the within 89C
on Sam Williams

By service on _____

TAYLOR WILKINS, Sheriff
By W. A. Tolbert D. S.
Latham

Sheriff claims 40 miles at
Ten Cents per mile Total \$ 4.00
TAYLOR WILKINS, Sheriff
BY W. A. Tolbert
DEPUTY SHERIFF

SUMMONS AND COMPLAINT

FILED
MAR 20 1967
ALICE L. NICHOL, CLERK
REGISTER

CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. Box 120
BAY MINETTE, ALABAMA

GEORGE P. WOOLFE, INC.,
a corporation,

Plaintiff,

vs.

SAM WILLIAMS,

Defendant.

WHITMAN TIMBER COMPANY, INC.,
a corporation,

Garnishee.

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

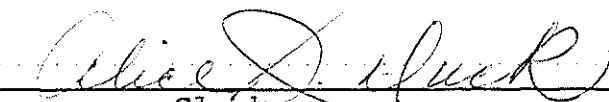
AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA-GREETING:

You are hereby commanded to notify Sam Williams that on the 20th day of October, 1967, a writ of garnishment in the above stated case was issued to Whitman Timber Company, Inc., a corporation, as garnishee.

And you will return this writ according to law.

Witness my hand this 20th day of October, 1967.


Clerk

7427 1/2

George P. Woolge, Inc.
a corp.

P/H.

ms.

Sam Williams,
Deft.

Sensaw or Latham

FILED

OCT 20 1967

ALICE J. BUCK

CLERK
REGISTER

John E. Chason, Atty

ceived 20 day of Oct 1967

on 24 day of Oct 1967

erved a copy of the within Notice

Sam Williams

service on _____

TAYLOR WILKINS, Sheriff

By W A Solbert D. S.

Latham

Sheriff claims 40 miles at

Four Cents per mile Total \$ 4.00

TAYLOR WILKINS, Sheriff

By W A Solbert
DEPUTY SHERIFF

GEORGE P. WOOLFE, INC.,
a corporation,

Plaintiff,

vs.

SAM WILLIAMS,

Defendant.

R. L. COX, INC.,
a corporation,

Garnishee.

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

7427 1/2

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

You are hereby commanded to notify Sam Williams that on the 28th day of February, 1968, a writ of garnishment in the above stated case was issued to R. L. Cox, Inc., a corporation, as garnishee.

And you will return this writ according to law.

Witness my hand this 28th day of February, 1968.

Alice J. Luck

Clerk

24:3-6-68

525

7427 1/2

£

George F. Woolpe
Inc. a corp.
Plbf.

vs.

Sam Williams
Jt. Minn. Deft.
Settlement

R.L. Co., Inc. a corp.
Garnishee

FILED

FEB 28 1968

ALICE J. DUCK
CLERK
REGISTER

Serve: Sam Williams
Deft.

John E. Chasen, Atty.

28 day of Feb 68
B day of March 1968
Notice
Sam Williams

by service on

TAYLOR WILKINS, Sheriff
by W. A. Tolbert
Sheriff

Sheriff charges 22 miles at
Ten Cents per mile Total \$ 2.20
TAYLOR WILKINS, Sheriff
by W. A. Tolbert
DEPUTY SHERIFF

111111

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WHEREAS, John Earle Chason has made affidavit as required by law that George P. Woolfe, Inc., a corporation, on the 17th day of October, 1967, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against Sam Williams for the sum of One Thousand Five Hundred Forty Six Dollars and Eighty Seven Cents (\$1,546.87) and the further sum of THIRTY ONE ~~and~~ 50/100 Dollars (\$ 31.50), cost of suit; and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that, R. L. Cox, Inc., 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 the Defendant 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.

These are therefore to command you, that you summon the said R. L. Cox, Inc., a corporation, to be and appear before the Circuit Court of Baldwin County, Alabama, within thirty days after the service of this writ of garnishment, then and there to answer an 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 Defendant; and whether it is indebted to said Defendant, or is liable to him 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 and seal as Clerk of said Court on this the 28th day of February, 1968.


Clerk

2413-6-68

742 7 1/2

George P. Woolfe, Inc.
a corp. Pcty.

vs.

Sam Williams
Deft.

28 day of Feb. 1968
6 day of March 1968

made a copy of the within. G.A.M.
R. L. Coy, Inc.

giving on Cecil Coy

TAYLOR WILKINS, Sheriff
By W. A. Tolbut
Stockton

Serve:
R. L. Coy, Inc. a corp.
Stockton, California

Sheriff charged 22 miles at
Ten Cents per mile Total \$ 2.20
TAYLOR WILKINS, Sheriff
By W. A. Tolbut
DAFETY JUDGE

John E. Chason, Atty

STATE OF ALABAMA
COUNTY OF BALDWIN

GEORGE P. WOOLF, INC.,
a corporation,

Plaintiff

vs.

SAM WILLIAMS,

Defendant

N. S. WHITMAN TIMBER CO., INC.,
a corporation,

Garnishee

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO. 7427 1/2

ANSWER OF GARNISHEE

Comes now N. S. WHITMAN TIMBER CO., INC., a corporation, which makes this answer to the writ of garnishment served on it in this cause, by and through N. S. Whitman, as its President, hereunto duly authorized, and says that it was not indebted to the above named defendant at the time of the service of the writ of garnishment in the above stated cause, or at the time of making its answer hereto; and that it will not be indebted in the future to the said defendant by a contract existing, at the time of the service of the writ of garnishment in the above stated cause, or at the time of making its answer hereto; and that it had not in its possession or under its control, personal or real property of things in action belonging to the defendant, at the time of the service of the writ of garnishment in the above stated cause, or at the time of making its answer hereto.

And garnishee having fully answered, prays to be discharged with its reasonable costs in this behalf expended.

N. S. WHITMAN TIMBER CO., INC.
A Corporation

By: N. S. Whitman, Sr.

N. S. Whitman, As its President

Subscribed and sworn to before
me this 7th day of November, 1967.

Raymond J. May Jr.
NOTARY PUBLIC

State of Alabama 41 Large

FILED

NOV 26 1967

523

74274
2

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WHEREAS, John Earle Chason has made affidavit as required by law that George P. Woolf, Inc., a corporation, on the 20th day of October, 1967, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against Sam Williams for the sum of One Thousand Five Hundred Forty Six Dollars and Eighty Seven Cents (\$1,546.87) and the further sum of THIRTY ONE AND 50/100 Dollars (\$ 31.50), cost of suit; and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that, Whitman Timber Company, Inc., 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 the Defendant 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.

These are therefore to command you, that you summon the said Whitman Timber Company, Inc., a corporation, to be and appear before 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 Defendant; and whether it is indebted to said Defendant, or is liable to him 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 and seal as Clerk of said Court on this the 20th day of October, 1967.

Ex: 10-27-67

520

Alice D. Duck
Clerk

BR 1427 1/2 1459

WP

George P. Woolpe, Inc.
Pltf.

vs.

Sam Williams,
Def.

Whitman Timber Co.
Inc. a corp. ^{29+PR} Garnishee.
2723 Springhill Ave
Mobile, Ala.

N S Whitman
owner

FILED

OCT 20 1967

ALICE J. BEEK
CLERK
REGISTER

John E. Chason, Atty.

RECEIVED

OCT 20 1967

TAYLOR WILKINS
SHERIFF

Received 23 Oct 1967
and on 27 Oct 1967
I served a copy of the within
on Whitman Timber Co.
by service on N S Whitman
owner
RAY D. BRIDGES, Sheriff
By W. Busby D.S.

REC'D SHERIFF DEPT.
MOBILE COUNTY, ALA.
OCT 23 1967

LAW OFFICES OF
HOWELL, JOHNSTON, LANGFORD & FINKBOHNER
NINTH FLOOR, WATERMAN BUILDING
P. O. BOX 1652
MOBILE, ALABAMA
36601

AREA CODE 205
TELEPHONE 432-2677

THOMAS O. HOWELL, JR.
THOMAS A. JOHNSTON, III
IRVIN J. LANGFORD
GEORGE W. FINKBOHNER, JR.
JOHN L. LAWLER

November 14, 1967

REGISTERED-RETURN
RECEIPT REQUESTED

Circuit Court of
Baldwin County, Alabama
Bay Minette, Alabama 36507

Attention: Miss Alice Duck

Re: Answer of Garnishee
Case No. 74271/2

Gentlemen:

Please find enclosed Answer of N. S. Whitman Timber Company, Inc., Garnishee, in the case of George P. Woolf, Inc., vs. Sam Williams, your Circuit Court Case No. 7427-1/2.

Very truly yours,

HOWELL, JOHNSTON, LANGFORD & FINKBOHNER


George W. Finkbohner, Jr.

GWFjr/mc

Encl.

cc: Mr. John E. Chason
Chason, Stone & Chason
Attorneys at Law
Post Office Box 120
Bay Minette, Alabama 36507

STATE OF ALABAMA

7427 1/2

BALDWIN COUNTY

Before me, Alice J. Duck, Clerk of the Circuit Court, in and for said County and State, personally appeared John Earle Chason, who being duly sworn, deposes and says that George P. Woolfe, Inc., a corporation, on the 19th day of October, 1967, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against Sam Williams for the sum of One Thousand Five Hundred Forty Six Dollars and Eighty Seven Cents (\$1,546.87) and the further sum of THIRTY ONE AND 59/100 Dollars (\$ 31 50) cost of said suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that Whitman Timber Company, Inc., 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 the Defendant 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.

John Earle Chason

Sworn to and subscribed before me
this 20th day of October, 1967.

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

FILED

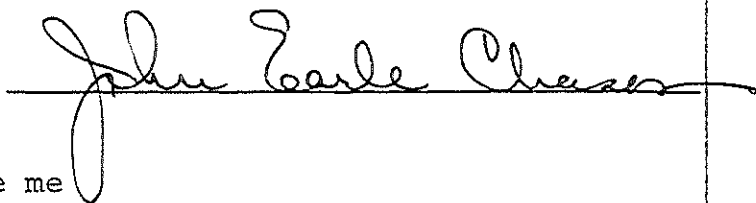
OCT 20 1967

ALICE J. DUCK CLERK
ALICE J. DUCK REGISTER

STATE OF ALABAMA

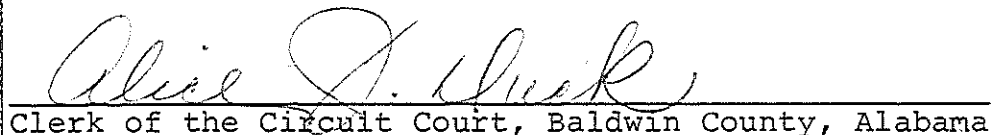
BALDWIN COUNTY

Before me, Alice J. Duck, Clerk of the Circuit Court, in and for said County and State, personally appeared John Earle Chason, who being duly sworn, deposes and says that George P. Woolfe, Inc., a corporation, on the 17th day of October, 1967, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against Sam Williams for the sum of One Thousand Five Hundred Forty Six Dollars and Eighty Seven Cents (\$1,546.87) and the further sum of THIRTY ONE and 50/100 Dollars (\$ 31.50) cost of said suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that R. L. Cox, Inc., 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 the Defendant 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.



Sworn to and subscribed before me

this 28th day of February, 1968.


Clerk of the Circuit Court, Baldwin County, Alabama

| | | | |
|-----------------------------------|---|-------------------------|-----------|
| GEORGE WOOLF | X | | |
| Plaintiff | X | IN THE CIRCUIT COURT OF | |
| vs. | X | BALDWIN COUNTY, ALABAMA | |
| SAM WILLIAMS | X | AT LAW | NO. 7427½ |
| Defendant | X | | |
| R. L. COX, INC., a corporation | X | | |
| Garnishee | X | | |

Now comes R. L. Cox, Inc., a corporation, the garnishee in the above styled cause, and for answer to the garnishment served on it in this case on the 7th day of March, 1968, says:

That at the time of the service of said writ of garnishment and that at the time of making this answer, said garnishee was not indebted to the said defendant, Sam Williams, and will not be indebted in the future to said defendant by contract then or now existing; that it will not be liable to said defendant 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 garnishee has not in its possession or under its control money or effects belonging to defendant, Sam Williams.

Having fully answered said garnishment, the said garnishee prays to be hence dismissed, with its reasonable cost for making its answer.

R. L. Cox

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, personally appeared R. L. Cox in his capacity as President of R. L. Cox, Inc., and who is known to me and who being informed of the contents of the foregoing instrument and being duly sworn deposes and says that said facts are true and correct.

C. D. Thompson
Notary Public, Baldwin County, Alabama

FILED

MAR 14 1968

ALICE J. DUCK

CLERK
REGISTER

527

GEORGE P. WOOLFE, INC.,
a corporation,

Plaintiff,

vs.

SAM WILLIAMS,

Defendant.

R. L. COX, INC.,
a corporation,

Garnishee.

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW 742 7 1/2 A

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

You are hereby commanded to notify Sam Williams that on the 9th day of June, 1969, a writ of garnishment in the above stated case was issued to R. L. Cox, Inc., a corporation, as garnishee.

And you will return this writ according to law.

Witness my hand this 9 day of June 1969.

Alice D. I. Iwak
Clerk

742 7 1/2 A

GEORGE P. WOOLFE, INC., A CORP

Plaintiff

vs;

(serve) SAM WILLIAMS

Defendant.

R. L. Cox, Inc., a Corp.,

Garnishee

Received 9 day of June 1949
and on 9 day of June 1949
I served a copy of the within Notice
on Sam Williams

By service on _____

Sheriff claims 22 miles at
Ten Cents per mile Total \$2.20
TAYLOR WILKINS, Sheriff
BY Robert
DEPUTY SHERIFF

TAYLOR WILKINS, Sheriff
By H. A. Bell D. S.
Robert

STATE OF ALABAMA

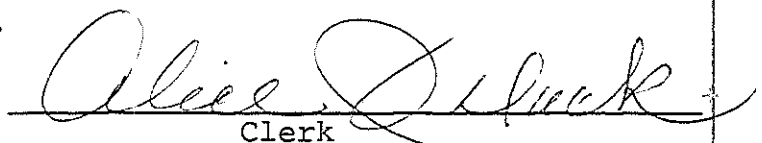
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WHEREAS, Brunette Woolfe has made affidavit as required by law that George P. Woolfe, Inc., a corporation, on the 17th day of October, 1967, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against Sam Williams for the sum of One Thousand Five Hundred Forty Six Dollars and Eighty Seven Cents (\$1,546.87) and costs of suit; and that she believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that R. L. Cox, Inc., 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 the Defendant 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.

These are therefore to command you, that you summon the said R. L. Cox, Inc., a corporation, to be and appear before the Circuit Court of Baldwin County, Alabama, within thirty days after the service of this writ of garnishment, then and there to answer an 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 Defendant; and whether it is indebted to said Defendant, or is liable to him 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 and seal as Clerk of said Court on this the 9th day of June, 1969.


Clerk

7427 1/2 A

GEORGE P. WOOLFE, INC., A CORP.

Plaintiff.

vs;

SAM WILLIAMS,

Defendant

R. L. COX, INC., A CORP.,

Garnishee

Sheriff claims 22 miles at
Ten Cents per mile Total \$ 2.20
TAYLOR WILKINS, Sheriff
BY Robert
DEPUTY SHERIFF

Received 9 day of June 1964
and on June day of June 1964
I served a copy of the within Writ
on R. L. Cox, Inc.

By service on Cecil Cox
TAYLOR WILKINS, Sheriff
BY W. A. DeLoach S.
DeLoach

7427 1/2 H

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, in and for said County and State, personally appeared Brunette Woolfe, who being duly sworn, deposes and says that George P. Woolfe, Inc., a corporation, on the 17th day of October, 1967, in the Circuit Court of Baldwin County, Alabama, recovered a judgment against Sam Williams for the sum of One Thousand Five Hundred Forty Six Dollars and Eighty Seven Cents (\$1,546.87) and costs of said suit, and that she believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that R. L. Cox, Inc., 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 the Defendant 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.

Brunette K Woolfe

Sworn to and subscribed before me

this 7th day of June, 1969.

John Earle Chason
Notary Public, Baldwin County, Alabama

FILED

JUN 9 1969

ALICE J. DUCK CLERK
REGISTER