

MOTION

MONSANTO COMPANY,	X	IN THE CIRCUIT COURT OF
PLAINTIFF,	X	BALDWIN COUNTY, ALABAMA
VS:	X	CASE NO. 7511½
J. W. KINSEY,	X	
DEFENDANT.	X	

Comes now the Plaintiff, MONSANTO COMPANY, by its attorney and moves the Court to reinstate this case which is a garnishment since it was not on Court calendar and Plaintiff was not aware it was set for trial and because the balance due on the judgment is approximately \$3,000 and the garnishee is withholding regular amounts and has accounted to the Court for about \$600 of the proceeds and the garnishee has been ordered by this Court to account each and every November and May until the judgment has been paid in full or the Defendant terminates his employment, with the garnishee.



Forest A. Christian, Attorney  
for the Plaintiff.

ORDER

MONSANTO COMPANY,

PLAINTIFF,

VS:

~~RICHARD BECK~~

J. W. KINSEY,

DEFENDANT.

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO. 7511½

WHEREAS, the Plaintiff has filed a motion which reads as follows:

"Comes now the Plaintiff, Monsanto Company, by its attorney and moved the Court to reinstate this case which is a garnishment since it was not on Court calender and Plaintiff was not aware it was set for trial and because the balance due on the judgment is approximately \$3,000 and the garnishee is withholding regular amounts and has accounted to the Court for about \$600 of the proceeds and the garnishee has been ordered by this Court to account each and every November and May until the judgment has been paid in full or the Defendant terminates his employment, with the garnishee."

AND,

WHEREAS, it appears to the Court that this case should be reinstated so that the Plaintiff may recover on the garnishment.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that the said case be reinstated on the docket.

DATED this the 10<sup>th</sup> day of February, 1969.

J. J. Mashburn  
Judge

COPY

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 - PHONE 943-2201

RES. 943-7102

MOBILE, ALABAMA 36535

February 7, 1969

Hon. Telfair Mashburn  
Judge of Circuit Court  
Bay Minette, Alabama 36507

Re: Monsanto Company  
Vs: Richard Beck  
Case No. 8016½  
Vs: J. W. Kinsey  
Case No. 7511½ ✓

Dear Judge Mashburn:

I see you have dismissed the above cases, but you will note that they were not on the docket so therefore, I was not aware of them and hope that you will issue an order to reinstate these cases because my clients will lose thousands of dollars and wages are being withheld by the garnishees in each case.

Cordially yours,

ORIGINAL SIGNED  
FOREST A. CHRISTIAN  
FOREST A. CHRISTIAN

ORDER

MONSANTO COMPANY,	X	
PLAINTIFF,	X	IN THE CIRCUIT COURT OF
VS:	X	BALDWIN COUNTY, ALABAMA
<del>XXXXXXXXXXXX</del>	X	CASE NO. 7511½
J. W. KINSEY,	X	
DEFENDANT.	X	

WHEREAS, the Plaintiff has filed a motion which reads as follows:

"Comes now the Plaintiff, Monsanto Company, by its attorney and moved the Court to reinstate this case which is a garnishment since it was not on Court calendar and Plaintiff was not aware it was set for trial and because the balance due on the judgment is approximately \$3,000 and the garnishee is withholding regular amounts and has accounted to the Court for about \$600 of the proceeds and the garnishee has been ordered by this Court to account each and every November and May until the judgment has been paid in full or the Defendant terminates his employment, with the garnishee."

AND,

WHEREAS, it appears to the Court that this case should be reinstated so that the Plaintiff may recover on the garnishment.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that the said case be reinstated on the docket.

DATED this the 10<sup>th</sup> day of February, 1969.

Justin J. Mason  
Judge

State of Alabama  
BALDWIN COUNTY

TO J. W. KINSEY *Foley*, Defendant.....:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of.....  
MONSANTO COMPANY, a Delaware Corporation....., Plaintiff.....,  
versus J. W. KINSEY....., Defendant.....,

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which.....  
W. MAX GRIFFIN, d/b/a THE PURE OIL COMPANY DISTRIBUTOR, Foley, Alabama 36535  
has been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 23  
day of October....., 194 67.

*Alvin J. Smith*  
Clerk of the Circuit Court.

VOL 67 PAGE 173

24 11-6-67

720. 75111/2  
Joley

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

Monsanto Co.

Plaintiff.....

VS.

J. W. Kinsey

Defendant.....

23 day of Oct 67  
6 day of Nov 67  
I received a copy of the within notice  
J. W. Kinsey  
service on J. W. Kinsey

TAYLOR WILKINS, Sheriff

By Jm Eastlund  
Joley, Ala.

72 miles  
7 30  
TAYLOR WILKINS, Sheriff  
BY J. M. Eastlund  
DEPUTY SHERIFF

33.72

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

7511 1/2

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State  
aforesaid ..... FOREST A. CHRISTIAN .....  
who being duly sworn, on oath says, that a regular ..... September 1967 ..... Term  
of the Circuit Court of Baldwin County, to-wit: on the ..... 11th ..... day of September .....  
19.67, ..... MONSANTO COMPANY, a Delaware Corporation .....  
recovered a judgment against J. W. KINSEY for the sum of THREE THOUSAND TWO HUNDRED  
FORTY-THREE & 65/100 DOLLARS (\$3,243.65), plus \$33.70 Court Costs, plus \$33.70  
garnishment costs, for a total of THREE THOUSAND THREE HUNDRED ELEVEN & 05/100  
(\$3,311.05); Dollars

~~that said judgment remains wholly unsatisfied and in full force and effect: that~~  
W. MAX GRIFFIN, d/b/a THE PURE OIL COMPANY DISTRIBUTOR, Foley, Alabama

supposed to be indebted to or have effects of the said J. W. KINSEY  
in ..... ITS ..... possession, or under ..... ITS ..... Control, and that he believes process of  
Garnishment against said W. MAX GRIFFIN, d/b/a THE PURE OIL COMPANY DISTRIBUTOR  
is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this ..... 23 .....  
day of October ..... A. D. 1967 .....  
..... Alice J. Duck .....  
Clerk.

Forest A. Christian  
Forest A. Christian

NO. 75 11 1/2

## Circuit Court

vs.

### A F F I D A V I T G A R N I S H M E N T   O N   J U D G M E N T

Filed this ..... day of

**FILED**

....., 19.....

OCT 23 1967

ALICE I. DICK CLERK Clerk.  
MOORE PRINTING CO. - BAY MINETTE, ALA.



MOSANTO COMPANY, a Delaware Corp., )

Plaintiff, )

VS. )

J. W. KINSEY, )

Defendant )

W. MAX GRIFFIN, d/b/a THE PURE )  
OIL COMPANY DISTRIBUTOR, Foley )  
Alabama, as Garnishee. )

IN THE


CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA, AT LAW.


7511 1/2

And now on this the 14th day of November, 1967, comes W. Max Griffin, d/b/a The Pure Oil Company Distributor, Foley, Alabama, who answers said garnishment as follows: That at the time of making this answer said garnishee was indebted to the defendant in the sum of \$88.00 per week as an hourly employee.

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

  
d/b/a The Pure Oil Company  
Distributor, Foley, Alabama.

Sworn to and subscribed before me  
this 14th day of November, 1967.

  
Notary Public, State of Alabama,  
At Large

**FILED**

NOV 14 1967

**ALICE J. DUCK** CLERK  
REGISTER

The State of Alabama,

Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

October TERM, 19.67

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular September Term, 19.67, of the Circuit Court of Baldwin County, to-wit: On the 11th day of September, 19.67, being a regular day of said term, MONSANTO COMPANY, a Delaware Corporation

recovered judgment against J. W. KINSEY

for the sum of THREE THOUSAND TWO HUNDRED FORTY-THREE & 63/100 DOLLARS (\$3,243.63) plus \$33.70, Court costs, plus \$33.70 garnishment costs, total \$3,311.05, and affidavit having been made by FOREST A. CHRISTIAN

that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, viz:

W. MAX GRIFFIN, d/b/a THE PURE OIL COMPANY DISTRIBUTOR, Foley, Alabama 36535

has or is believed to have in ITS possession, or under ITS control money or effects belonging to said defendant J. W. KINSEY or that he is, or is believed to be indebted to said defendant 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 ~~MONSANTO COMPANY~~

W. MAX GRIFFIN, d/b/a THE PURE OIL COMPANY DISTRIBUTOR, Foley, Alabama, a corporation,

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, within thirty days

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 making his answer, or at any time intervening the time of serving the garnishment, and making the answer he was indebted to said defendant J. W. KINSEY and whether he will not be indebted in future to said defendant

J. W. KINSEY by a contract then existing, and whether by a contract then existing he 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 he has not in his possession or under his control money or effects belonging to the defendant J. W. KINSEY

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

Witness, ALICE J. DUCK, Clerk of said Court, this 23 day of October, A. D., 19.67

Issued 23 day of October, A. D., 19.67

ATTEST:

*Alice J. Duck*, Clerk.  
VOL 67 PAGE 174

2411-6-67

Filed 23 day of Oct. 1967  
on 6 day of Nov. 1967  
I have a copy of the within Hamm  
W. Max Griffin

Service on W. Max Griffin

TAYLOR WILKINS, Sheriff  
By J. M. Eastman D. S.  
Foley, Ala

Sheriff claims 72 miles  
For Cont. for miles 7.20  
TAYLOR WILKINS, Sheriff  
BY J. M. Eastman  
DEPUTY SHERIFF

CIRCUIT COURT, BALDWIN COUNTY

No. 9511 1/2

Monsanto Co.

VS. } GARNISHMENT ON JUDGMENT

J. W. Kinsey

Issued \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Returnable \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

F. A. Christian  
Attorney

NOV 10 1967

MONSANTO COMPANY, a Delaware Corp.,	X	
PLAINTIFF,	X	IN THE CIRCUIT COURT OF
VS:	X	BALDWIN COUNTY, ALABAMA
J. W. KINSEY,	X	AT LAW
DEFENDANT,	X	CASE No. 7511½
W. MAX GRIFFIN, d/b/a/THE PURE OIL	X	
COMPANY DISTRIBUTOR, Foley, Alabama,	X	
GARNISHEE.	X	

M O T I O N

WHEREAS, the Plaintiff has a judgment against the Defendant in the above case, rendered on September 11, 1967 in the principal amount of \$3,243.65, plus \$33.70 Court costs, plus accrued interest, plus additional Court costs, which judgment is recorded in Judgment Book 16, page 821, in the Baldwin County, Alabama records, and,

WHEREAS, in October 1967, a garnishment was filed in said case requiring the garnishee to answer whether or not he is indebted to or will be indebted to the Defendant in the future and,

WHEREAS, on November 14, 1967, the Garnishee filed an answer in Court which reads as follows:

"And now on this the 14th day of November, 1967, comes W. Max Griffin, d/b/a The Pure Oil Company Distributor, Foley, Alabama, who answers said garnishment as follows: That at the time of making this answer said garnishee was indebted to the Defendant in the sum of \$88.00 per week as an hourly employee.

"Having fully answered said garnishment the said garnishee prays to be hence dismissed with his reasonable cost for making this answer."

NOW THEREFORE, The Plaintiff prays that this Honorable Court will order the said garnishee to retain 25% of wages, salaries or other compensation of the said J. W. Kinsey, the judgment debtor, as laborer, and employee during such period of time as is necessary to accumulate a sum equal to the amount shown as due by the Court on the writ or levy, at which time the garnishee shall pay the same into Court. Should the employment of the Defendant for any reason be terminated with the garnishee, then the garnishee shall not later than fifteen days after the termination of such employment, report such termination to the Court and pay into the Court all sums as have been withheld from the Defendant's wages, salaries or other

compensation. As provided for under Title 7, Section 630, Code of Alabama.

Dated this the 30th day of April, 1968.

  
Forest A. Christian, Attorney for  
the Plaintiff

FILED

MAY 1 1968

ANICE J. DUCK CLERK  
REGISTER

MONSANTO COMPANY, a Delaware Corporation,	X	
	X	IN THE CIRCUIT COURT OF
PLAINTIFF,	X	BALDWIN COUNTY, ALABAMA
VS:	X	AT LAW
J. W. KINSEY,	X	CASE NO. 7511½
DEFENDANT,	X	
W. MAX GRIFFIN, d/b/a THE PURE OIL COMPANY DISTRIBUTOR, Foley, Alabama,	X	
GARNISHEE.	X	

D E C R E E

It appears to the Court that the Plaintiff has a judgment against the Defendant in the above case, rendered on September 11, 1967 in the principal amount of \$3,243.65, plus \$33.70 Court costs, plus accrued interest, plus additional Court costs, which judgment is recorded in Judgment Book 16, page 821, in the Baldwin County, Alabama records, and, in

THAT, in October 1967, a garnishment was filed in said case requiring the garnishee to answer whether or not he is indebted to or will be indebted to the Defendant in the future and,

THAT, on November 14, 1967, the Garnishee filed an answer in Court which reads as follows:

"And now on this the 14th day of November, 1967, comes W. Max Griffin, d/b/a The Pure Oil Company Distributor, Foley, Alabama, who answers said garnishment as follows: That at the time of making this answer said garnishee was indebted to the Defendant in the sum of \$88.00 per week as an hourly employee.

"Having fully answered said garnishment the said garnishee prays to be hence dismissed with his reasonable cost for making this answer."

It further appears that the Plaintiff prays that this Honorable Court will order the said garnishee to retain 25% of wages, salaries or other compensation of the said J. W. Kinsey, the judgment debtor, as laborer, and employee during such period of time as is necessary to accumulate a sum equal to the amount shown as due by the Court on the writ or levy, at which time the garnishee shall pay the same

into Court. Should the employment of the Defendant for any reason be terminated with the garnishee, then the garnishee shall not later than fifteen days after the termination of such employment, report such termination to the Court and pay into the Court all sums as have been withheld from the Defendant's wages, salaries or other compensation. As provided for under Title 7, Section 630, Code of Alabama, and,

It further appers that the Plaintiff, judgment creditor, is entitled to the relief prayed for, IT IS THEREFORE,

ORDERED, ADJUDGED AND DECREED that W. MAX GRIFFIN, d/b/a THE PURE OIL COMPANY DISTRIBUTOR, Foley, Alabama, shall retain 25% of wages, salaries or other compensation of the said J. W. KINSEY, the judgment debtor, as laborer and employee during such period of time as is necessary to accumulate a sum equal to the amount shown as due by the Court on the writ or levy, at which time the garnishee shall pay the same into Court. Should the employment, of the Defendant for any reason be terminated with the garnishee, then the garnishee shall not later than fifteen days after the termination of such employment, report such termination to the Court and pay into the Court all sums as have been withheld from the Defendant's wages, salaries or other compensation. As provided for under Title 7, Section 630, Code of Alabama.

Done this the 1<sup>st</sup> day of May, 1968.

J. W. Kinsey  
Judge of Circuit Court, Baldwin  
County, Alabama

FILED

MAY 1 1968

ALICE J. DUCK CLERK  
REGISTER

MONSANTO COMPANY, a Delaware Corp., X  
 PLAINTIFF, X IN THE CIRCUIT COURT OF  
 VS: X BALDWIN COUNTY, ALABAMA  
 J. W. KINSEY, X AT LAW  
 DEFENDANT, X CASE NO. 7511½  
 W. MAX GRIFFIN, D/b/a THE PURE OIL X  
 COMPANY DISTRIBUTOR, Foley, Alabama, X  
 GARNISHEE. X

M O T I O N

WHEREAS, a decree was entered by the Judge of this Honorable Court on the 1st day of May, 1968, wherein it was "ORDERED, ADJUDGED AND DECREED that W. MAX GRIFFIN, d/b/a THE PURE OIL COMPANY DISTRIBUTOR, Foley, Alabama, shall retain 25% of wages, salaries or other compensation of the said J. W. KINSEY, the judgment debtor, as laborer and employee during such period of time as is necessary to accumulate a sum equal to the amount shown as due by the Court on the writ or levy, at which time the garnishee shall pay the same into Court. Should the employment, of the Defendant for any reason be terminated with the garnishee, then the garnishee shall not later than fifteen days after the termination of such employment, report such termination to the Court and pay into the Court all sums as have been withheld from the Defendant's wages, salaries or other compensation. As provided for under Title 7, Section 630, Code of Alabama." And whereas, the total amount of this judgment was rendered on September 11, 1967, in the principal amount of \$3,243.65, plus Court costs of \$33.70, plus accrued interest, plus garnishment costs, etc. And, whereas, the Garnishee reported to the Court on November 14, 1967; that the Garnishee was indebted to the Defendant for the sum of \$88.00 per week; and whereas, these monies, we are informed, are being held by the Garnishee in the amount of sum \$500.00, collected on this garnishment. Since it will take several years to collect this judgment by garnishment, now therefore, the Plaintiff prays that this Honorable Court will order the garnishee to pay into Court, all monies collected under said garnishment for all wages



made through November 1, 1968, and semi-annually thereafter to wit, May 1 and November 1 of each year thereafter until full amount of said judgment is collect, and that the Clerk of this Court be directed to disburse these monies collected after deducting Court costs to Forest A. Christian, as attorney for the Plaintiff. Should the employment of the Defendant for any reason be terminated with the Garnishee, then the Garnishee shall not later than fifteen days after the termination of such employment, report such termination to the Court and pay into the Court all sums as have been withheld from the Defendant's wages, salaries or other compensation.

Dated this the 25th day of October, 1968.



Forest A. Christian, Attorney  
for the Plaintiff

FILED

OCT 26 1968

ALICE J. DUCK CLERK  
REGISTER

MONSANTO COMPANY, a Delaware Corporation,	X	
	X	
PLAINTIFF,	X	IN THE CIRCUIT COURT OF
	X	BALDWIN COUNTY, ALABAMA
VS:	X	
J. W. KINSEY,	X	AT LAW
	X	
DEFENDANT,	X	CASE NO. 7511½
	X	
W. MAX GRIFFIN, d/b/a THE PURE OIL COMPANY DISTRIBUTOR, Foley, Alabama,	X	
	X	
GARNISHEE.	X	

D E C R E E

It appears to the Court that whereas, a decree was entered by the Judge of this Honorable Court on the 1st day of May, 1968, wherein it was "ORDERED, ADJUDGED AND DECREED that W. MAX GRIFFIN, d/b/a THE PURE OIL COMPANY DISTRIBUTOR, Foley, Alabama, shall retain 25% of wages, salaries or other compensation of the said J. W. KINSEY, the judgment debtor, as laborer and employee during such period of time as is necessary to accumulate a sum equal to the amount shown as due by the Court on the writ or levy, at which time the garnishee shall pay the same into Court. Should the employment of the Defendant for any reason be terminated with the garnishee, then the garnishee shall not later than fifteen days after the termination of such employment, report such termination to the Court and pay into Court all sums as have been withheld from the Defendant's wages, salaries or other compensation. As provided for under Title 7, Section 630, Code of Alabama." And that whereas, the total amount of this judgment was rendered on September 11, 1967, in the principal amount of \$3,243.65, plus Court costs of \$33.70, plus accrued interest, plus garnishment costs, etc. And that, whereas, the Garnishee report to the Court on November 14, 1967; that the Garnishee was indebted to the Defendant for the sum of \$88.00 per week; and that whereas, these monies are being held by the Garnishee in the amount of \$500.00, collected on this garnishment. Since it will take several years to collect this judgment by garnishment, now therefore, the Plaintiff prays that this Honorable Court will order the garnishee to pay into Court, all monies collected under said garnishment for all wages made

through November 1, 1968, and semi-annually thereafter to wit, May 1 and November 1 of each year thereafter until full amount of said judgment is collected, and that the Clerk of this Court disburse these monies collected after deducting Court costs to FOREST A. CHRISTIAN, as attorney for the Plaintiff. Should the employment of the Defendant for any reason be terminated with the Garnishee, then the Garnishee shall not later than fifteen days after the termination of such employment, report such termination to the Court and pay into the Court all sums as have been withheld from the Defendant's wages, salaries or other compensation.

And it further appears to the Court that the Plaintiff, judgment creditor, is entitled to the relief prayed for, IT IS THEREFORE,

ORDERED, ADJUDGED AND DECREED that W. MAX GRIFFIN, d/b/a THE PURE OIL COMPANY DISTRIBUTOR, Foley, Alabama, shall pay into Court, all monies collected under said garnishment for all wages made through November 1, 1968, and semi-annually thereafter to wit, May 1 and November 1 of each year thereafter until full amount of said judgment is collected, and that the Clerk of this Court disburse these monies collected after deducting Court costs to Forest A. Christian, as attorney for the Plaintiff. Should the employment of the Defendant for any reason be terminated with the Garnishee, then the Garnishee shall not later than fifteen days after the termination of such employment, report such termination to the Court and pay into the Court all sums as have been withheld from the Defendant's wages, salaries or other compensation.

Done this the 5<sup>th</sup> day of ~~October~~ <sup>November</sup>, 1968.

Julian P. Mathews  
Judge of Circuit Court, Baldwin  
County, Alabama

FILED

NOV 6 1968

ALICE J. DUCK CLERK  
REGISTER

STATEMENT

LAW OFFICE OF

FOREST A. CHRISTIAN

Hon. Telfair Mashburn  
Judge of Circuit Court  
Bay Minette, Alabama

P. O. DRAWER 190  
FOLEY, ALABAMA 36535

2 March, 1971

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Monsanto Company vs:  
J. W. Kinsey #7511½ garnishment

Dear Judge:

This account was paid off by Mr. Max Griffin, distributor of Union Oil Products on the 22 February, 1971, and the clerk is to remit to us the proceeds of the check.

The Court can mark this settled between the parties.

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FOREST A. CHRISTIAN

