

Notice of Fugit m's
~~SUMMONS AND COMPLAINT~~

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No.....

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ALABAMA STATE DOCKS, a corporation

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.....

..... ALABAMA STATE DOCKS, a corporation..... Defendant.....

by J. E. LUENBERG.....

..... Plaintiff.....

Witness my hand this..... 26..... day of..... June..... 19 70

..... Clerk

Ex 6-26-70

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

J. E. LUENBERG

Plaintiffs

vs.

THOMAS H. RAYBORN & CECIL D.
RAYBORN, Defendants
ALABAMA STATE DOCKS, Garnishee

~~SUMMONS AND COMPLAINT~~

~~Notice of Judgment~~

Filed 6-26 1978

Clerk

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

Garnishee,
Defendant lives at
Alabama State Docks
Mobile, Alabama

Received In Office

June 26 1978
Taylor Kilkins Sheriff

I have executed this summons

this July 15 1978
by leaving a copy with

Mr. Ciley, as Secretary-
Treasurer for
Alabama State Docks

Ray L. Bridges Sheriff

M. L. Wright Deputy Sheriff

ALABAMA STATE DOCKS DEPARTMENT
AN AGENCY OF THE STATE OF ALABAMA

SECRETARY-TREASURER'S OFFICE
P. O. DRAWER 1588
MOBILE, ALABAMA



July 16, 1970

Mrs. Alice J. Duck, Clerk
Circuit Court of Baldwin County
The Courthouse
Bay Minette, Alabama

Dear Mrs. Duck:

Re: Circuit Court Case
No. 8515½

Confirming our telephone conversation of this date, the Alabama State Docks Department did not officially receive the notice of garnishment of March 12, 1970. Mr. F. L. Duff, Payroll Clerk, stated that he told a Mobile County Deputy Sheriff that Mr. Cecil D. Rayborn was an employee of our Terminal Railway; but, that he was not given a copy of the Writ of Garnishment.

We are enclosing executed garnishee's answer in this case, as the State of Alabama does not recognize garnishments.

It has always been our policy that employees pay their just debts or face removal from our payroll, however, I am informed by Mr. Rayborn's supervisor, Mr. J. H. Henley, that this employee is in the process of filing a bankruptcy petition.

Very truly yours,

William J. Colley
Secretary-Treasurer

WJC:jg

cc: Mr. John Duck, Attorney
Mr. T. A. Steely
Mr. J. H. Henley

GARNISHEE'S ANSWER

STATE OF ALABAMA, MOBILE COUNTY

FILED

JUL 20 1970

J. E. Luenberg)_____)
Plaintiff

VS

Thomas H. Rayborn and)Defendant
Cecil D. Rayborn)Ala. State Docks Dept.)

Garnishee

ALICE J. DUCK

CLERK
REGISTER

Personally appeared before me, the undersigned authority, William J. Colley as Treasurer of the Alabama State Docks Department, who, on oath, answers to the Writ of garnishment issued in this cause and served on him as Treasurer of the Alabama State Docks Department, the Garnishee, and says that he is duly authorized to make this answer, that he has knowledge of the facts stated herein, and that the Alabama State Docks Department is (is not) indebted to the defendant at the time of the service of this Garnishment, or at the time of making of this answer, in this sum of \$ 161.55.

Neither the Alabama State Docks Department, nor William J. Colley as its Treasurer, assents to the rendition of a judgment against it or him for the amount due to the said defendant, but on the contrary, both the Alabama State Docks Department and William J. Colley as its Treasurer object to any judgment being rendered against it or him in this cause. See Title 7, Section 1036, Code of Alabama.

Subscribed and sworn to before me this 16th day of July,
1970.

William J. Colley
William J. Colley, Sec.-TreasurerMary Ruth Baehner
NOTARY PUBLIC, MOBILE COUNTY, ALA.

Notice of Judgment nisi
~~SUMMONS AND COMPLAINT~~

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No.

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ALABAMA STATE DOCKS, a corporation

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.....

ALABAMA STATE DOCKS, a corporation..... Defendant.....

by J. E. LUENBERG.....

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

Witness my hand this.....day of..... 19.....

....., Clerk

No.....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

J. E. LUENBERG

Plaintiffs

vs.

THOMAS H. RAYBORN & CECIL D.
RAYBORN, Defendants
ALABAMA STATE DOCKS, Garnishee

~~SUMMONS AND COMPLAINT~~

Notice of Judgt. Trial

Filed *6-28* 19*70*

Dee J. Duck Clerk

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

Garnishee,

Defendant lives at

Alabama State Docks
Mobile, Alabama

Received In Office

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

NOTICE OF JUDGMENT NI SI

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WHEREAS, at the January term, 1970, of the Circuit Court of Baldwin County the following Order was made and Judgment entered, to-wit:

J. E. LUENBERG,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
vs.	)	AT LAW, CASE NO. 8515½
THOMAS H. RAYBORN and	)	
CECIL D. RAYBORN, jointly	)	
and individually,	)	
Defendants,	)	
ALABAMA STATE DOCKS, a	)	
corporation,	)	
Garnishee.	)	

Came the Plaintiffs, by their attorney, and the Garnishee having failed to file its answer as required by law, and it appearing unto 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, and that at the January term, 1970, in said Court, to-wit: on the 26th day of January, 1970, the Plaintiff recovered a Judgment against the Defendants for the sum of FOUR HUNDRED FIFTY-FIVE (\$455.00) DOLLARS and THIRTY-TWO (\$32.00) DOLLARS cost of suit; it is therefore considered by the Court that the Plaintiff recover of the Garnishee the sum of FOUR HUNDRED FIFTY-FIVE (\$455.00) DOLLARS, and the sum of THIRTY-TWO (\$32.00) DOLLARS cost of original suit, and also the cost of this Garnishment; unless at the present term of this Court, and within thirty (30) days after notice of 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.

[Handwritten signature]

CLERK

SHERIFF

DEPUTY SHERIFF

JOHN V. DUCK
Attorney at Law
P. O. DRAWER Y - FAIRHOPE, ALABAMA

M E S S A G E

R E P L Y

TO Mrs. Alice J. Duck

Bay Minette, Ala.

DATE March 3, 1970

Re: Luenberg vs. Thomas H. Rayborn and

Cecil D. Rayborn. Civil No. 8515

Dear Mrs. Duck:

Enclosed please find Garnishment proceedings

to be filed against Defendant, Cecil D.

Rayborn, at Alabama State Docks, Mobile, Ala.

Sincerely,

John V. Duck
(RH)

SIGNED

DATE

SIGNED

STATE OF ALABAMA
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY
TERM, 19.....

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular January Term, 19.70 of the Circuit Court of Baldwin County, to-wit: On the 26th day of January, 19.70, being a regular day of said term, J. E. LUENBERG

recovered judgment against THOMAS H. RAYBORN & CECIL D. RAYBORN

for the sum of FOUR HUNDRED FIFTY-FIVE AND NO/100 Dollars, and cost of suit, and affidavit having been made by JOHN V. DUCK that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:

ALABAMA STATE DOCKS

Mobile, Alabama

has or is believed to have in its possession, or under its control money or effects belonging to said defendant CECIL D. RAYBORN or that it 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

ALABAMA STATE DOCKS

Mobile, Alabama

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 30 days from service here of* ~~on the Monday in A. D. 19~~ ~~then and there within the three first days of the Monday in A. D. 19~~

the service of the garnishment, or at the making its answer, or at any time intervening the time of serving the garnishment, and making the answer it was indebted to said defendant CECIL D. RAYBORN and whether it will not be indebted in future to said defendant CECIL D. RAYBORN 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 CECIL D. RAYBORN

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

Witness, ALICE J. DUCK, Clerk of said Court, this 5 day of March A. D., 1970

Issued 5 day of March A. D., 1970

ATTEST:

Alice J. Duck Clerk.

244-12-70

CIRCUIT COURT, BALDWIN COUNTY

No. 85-15-12

J. E. Luenberg

VS.

GARNISHMENT ON JUDGMENT

12-7
Thomas A. Rayborn
& Cecil D. Rayborn

121/ F1 DUFF, chofclub

Issued _____ day of _____ 19____

Returnable _____ day of _____ 19____

John V. Duck
Attorney

Moore Printing Co. - Bay Minette, Alabama

Received 5 day of March 1926
and on 12 day of March 1926
I served a copy of the within exhibit
Ala. State Roads

a service on 7 I don't find out

~~Rough draft~~

See 27th October

STATE OF ALABAMA

Baldwin County

TO CECIL D. RAYBORN Defendant.....:

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

..... J. E. LUENBERG Plaintiff.....

versus THOMAS H. RAYBORN & CECIL D. RAYBORN Defendant.....^S.....

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

..... ALABAMA STATE DOCKS, Mobile, Alabama

ha.S... been named as Garnishee.....

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

5th day of March, 1970..... Alice J. Quak
Clerk of the Circuit Court.

244-12-70

85-15 1/2

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

Cecil D. Rayborn

J. E. Luanberg
Plaintiff....

VS.

Thomas H. Rayborn
& Cecil D. Rayborn

Defendant....

John W. Duck

Re: 5 March 1938

AT 12 noon

15:00:00

at 15:00:00

at 15:00:00

at 15:00:00

at 15:00:00

at 15:00:00

at 15:00:00

THE STATE OF ALABAMA
Baldwin County

Circuit Court

8515 1/2

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State
aforesaid JOHN V. DUCK

who being duly sworn, on oath says, that a regular January Term
of the Circuit Court of Baldwin County, to-wit: on the ...26th..... day of January.....
19.70, J. E. LUENBERG

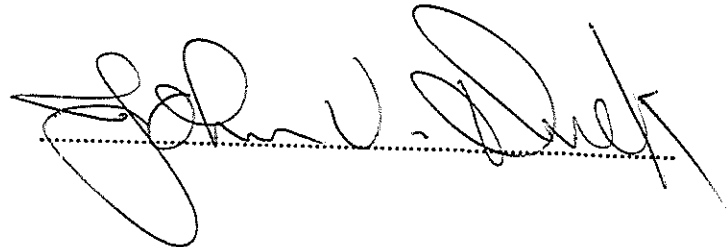
recovered a judgment against THOMAS H. RAYBORN & CECIL D. RAYBORN

..... for the sum of
FOUR HUNDRED FIFTY-FIVE AND NO/100 (\$455.00) Dollars

besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that
..... ALABAMA STATE DOCKS, Mobile, Alabama

supposed to be indebted to or have effects of the said CECIL D. RAYBORN
in its possession, or under its Control, and that he believes process of
Garnishment against said ALABAMA STATE DOCKS
is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 5
day of March A. D. 1970
..... Alice J. Duck
Clerk.



319 MAGNOLIA AVE.

928-2191

JOHN V. DUCK
ATTORNEY AT LAW
P. O. BOX Y
FAIRHOPE, ALABAMA 36532

August 19, 1970

to Judge

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

Re: Luenberg vs. Rayborn,
Alabama State Docks, Garnishee
Civil Case No. 8515½

Dear Mrs. Duck:

Please release Garnishment filed against Alabama
State Docks in above captioned case.

Judgment has this day been satisfied.

Sincerely,

John V. Duck

John V. Duck

JVD:lh

cc: Mr. William Colley
Alabama State Docks
Mobile, Alabama