

NOTICE OF GARNISHMENT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

6910

TO ~~Dora Ruth Philyaw & James Philyaw~~....., Defendants.....:

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

~~W.E. Martin, d/b/a Martin's Radio & T.V. Repair~~....., Plaintiff.....

versus ~~Dora Ruth Philyaw & James Philyaw~~....., Defendant.....,

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

~~Loper Lumber Company~~.....

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

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

24th day of March....., 1966

Alice J. French
Clerk of the Circuit Court.

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Dora Ruth Philyaw and James Philyaw to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of W. E. Martin d/b/a Martin's Radio and T.V. Repair.

Witness my hand, this the 14 day of March, 1966.

Robert H. Hark
CLERK

W. E. MARTIN d/b/a
MARTIN'S RADIO AND T.V.
REPAIR

PLAINTIFF

VS

DORA RUTH PHILYAW and
JAMES PHILYAW

DEFENDANTS

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 6910

The Plaintiff claims of the Defendants ONE-HUNDRED, TWENTY and EIGHTY-FIVE/100 (\$120.85) DOLLARS as balance due on a promissory note in the amount of \$148.20 made by them on the 16th day of April, 1965 and payable on the 10th day of June, 1965 with interest thereon.

The said note provides for waiver of exemption and for a reasonable attorney's fee whereof Plaintiff claims benefit.

Wilson Hayes
WILSON HAYES, ATTORNEY FOR
PLAINTIFF

Defendants may be
served at South
Hoyle Avenue
Bay Minette, Alabama

E 4-4-1-66 on Dora Ruth
N. F. on James

Received 25th day of March 1968
and on 21 day of April 1968

I served a copy of the within

Dora Ruth Philyaw;
James Philyaw;
Not Found

TAYLOR WILKINS, Sheriff
B. W. D. Talbert

NUMBER: 6910

W. E. MARTIN d/b/a
MARTIN'S RADIO AND T.V.
REPAIR

PLAINTIFF

VS

DORA RUTH PHILYAW and
JAMES PHILYAW

DEFENDANTS

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

FILED

MAR 21 1968

CLERK OF COURT
BALDWIN COUNTY, ALABAMA

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama—Greeting:

Whereas, W.E. Martin, d/b/a Martin's Radio & T.V. Repair

has commenced suit by Summons and Complaint returnable to the next term of the Circuit Court
of said County, against Dora Ruth Philyaw & James Philyaw

One Hundred Twenty and 85/100 (\$120.85)
for the sum of ~~One Hundred~~ Dollars and whereas, the said

William E. Martin

has entered into bond, and made affidavit by law that the said Dora Ruth Philyaw & James
Philyaw

is indebted to W.E. Martin, d/b/a in the sum of One Hundred Twenty and 85/100

Dollars, and that process of garnishment is believed to be necessary to obtain satisfaction of such
judgment as may be recovered by Plaintiff, and that Loper Lumber Company

_____ is believed to be chargeable as garnishee in the cause.

YOU ARE THEREFORE, commanded to summon the said Loper Lumber Co.,

_____ within 30 days from service hereof,
_____ to be and appear at the _____ term of the Circuit Court, to

be holden for the County of Baldwin, on _____, 19____
then and there to answer, upon oath, whether, at the time of the service of this garnishment, or at
the time of making your answer, or at any time intervening between the time of serving the gar-
nishment and making the answer, you were indebted to the defendant, and whether, you will
not be indebted to him in the future by a contract then existing, and whether by a contract then
existing, you are liable to him 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 pro-
perty, and whether you have not in your possession or under your control money or effects be-
longing to the defendant.

Witness my hand this 24th day of March, 1966

64-4-1-66

Reice J. Wicks
Clerk.

Served 25 day of March 1966
on 1 day of April 1966
served a copy of the within Blaw
Loper Lumber Co.

service on Jack Sudduth

TAYLOR WILSON
By W. A. Talbot
on

No. 6910

Circuit Court of Baldwin County

W.E. MARTIN, d/b/a MARTIN'S

RADIO & T.V. REPAIR,
Plaintiff

VS.

Garnishment On Summons

DORA RUTH PHILYAW & JAMES
PHILYAW,

Defendants,

Loper Lumber Co., Garnishee

Issued 24th day of March, 1966

Wilson Hayes

Plaintiff's Attorney

W. E. MARTIN, d/b/a Martin's
Radio & T.V. Repair,

Plaintiff,

VS.

DORA RUTH PHILYAW and
JAMES PHILYAW,

Defendants,

and

RAY E. LOPER LUMBER COMPANY,
INC., a Corporation,

Garnishee.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

ANSWER OF GARNISHEE

Now comes Ray E. Loper Lumber Company, Inc., a corporation,
and for answer to the garnishment heretofore filed in this cause
says that at the time of the service of the said garnishment, or
at the time of making this answer, or at any time intervening
between the time of serving the garnishment and making this answer,
it was not indebted to the defendants and that it will not be in-
debted to them or either of them in the future by a contract then
existing and will not be liable for the delivery of personal property
to the defendants by a contract then existing or for the payment of
money which may be discharged by the delivery of personal property
or which is payable in personal property and further that it does
not have in its possession or under its control money or effects
belonging to the defendants or either of them.

DATED this 19th day of April, 1966.

RAY E. LOPER LUMBER COMPANY, INC.,
a corporation,

By [Signature]
As its President

STATE OF ALABAMA)
*
BALDWIN COUNTY)

I, Ernestine R. Sims, a Notary Public, within and
for said County in said State, hereby certify that Ray E. Loper, whose
name as President of Ray E. Loper Lumber Company, Inc., a corporation,
is signed to the foregoing instrument and who is known to me, acknow-
ledged before me on this day that, being informed of the contents of
the instrument, he, as such officer and with full authority, executed
the same voluntarily for and as the act of said corporation.

Given under my hand on this the 19th day of April, 1966.

Ernestine R. Sims
Notary Public, Baldwin County, Alabama

STATE OF ALABAMA

Baldwin County

TO Dora Ruth Philyaw & James Philyaw....., Defendant^s.....:

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

W.E. Martin, d/b/a Martin's Radio & T.V. Repair....., Plaintiff.....,versus Dora Ruth Philyaw & James Philyaw....., Defendant.....,

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

Loper Lumber Company.....

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

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

24th day of March....., 19.66...

Alice J. [Signature]
Clerk of the Circuit Court.

E 4-4-1-66 - on Dora RuthN.F. on James

305

Served 25 day of March 1966
in 1 day of April 19
and a copy of the within Notice
Dora Ruth Philyaw;
James Philyaw
served on

TAYLOR WILKINS, Clerk

By W.A. Solbert

Not Found in this
County

CASE NO. 6910

NOTICE
TO DEFENDANT OF GARNISHMENT
BY
CLERK OF CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
TO

DORA RUTH PHILYAW & JAMES PHILYAW

W.E. Martin, d/b/a Martin's Radio &
T.V. Repair

Plaintiff.....

VS.

Dora Ruth Philyaw & James Philyaw

Defendant^s....

Wilson Mayes

BOND

The State of Alabama, }
Baldwin County

CIRCUIT COURT

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, William E. Martinare held and firmly bound unto Dora Ruth Philyaw and James Philyawin the sum of TWO-HUNDRED, SEVENTY-ONE and NO/100 DOLLARS,to be paid to the said Dora Ruth Philyaw and James Philyaw

heirs, executors, administrators or assigns, for which payment well and truly to be made, we bind ourselves, and each of us, our and each of our heirs, executors and administrators jointly, severally and firmly by these Presents.

Sealed with our seals, and dated this 14th day of December, 19 65

THE CONDITION OF THE ABOVE OBLIGATION IN SUCH, That whereas, the above bound
William E. Martin

has commenced suit in the Circuit Court of said County by summons and complaint, which have issued from said Court, to recover of said Dora Ruth Philyaw and James Philyaw

the sum of ONE-HUNDRED, TWENTY and 85/100 Dollars,

and has on the day of the date hereof, prayed that Writ of Garnishment issue out of said Court to

summoning him to answer what indebted to said Defendant, or what effects of said Defendant has in their possession, or under their control; and said Plaintiff having made oath as required by law in such cases, said Writ is about to issue out of said Court, returnable to the next Term of the Circuit Court, to be holden for Baldwin County.

NOW, if the said Plaintiff shall prosecute the Garnishment to effect, and pay the Defendant all such costs and damages as then may sustain, by reason of the wrongful or vexatious suing out of this Garnishment, then this obligation to be void; otherwise to remain in full force and effect.

AND WE, and each of us, hereby waive all rights of claim of exemption we, or either of us have now, or may hereafter have, under the Constitution and laws of Alabama, and we hereby severally certify that we have property free from all incumbrance, to the full amount of the above bond.

William E. Martin (Seal)

(Seal)

(Seal)

Approved this

14

day of

MarchA. D., 19 66

Clerk.

The State of Alabama
Baldwin County

Before me, ALICE J. DUCK, Clerk of Circuit Court,

in and for said County, personally appeared William E. Martin

who, being duly sworn, doth depose and say that Dora Ruth Philyaw and James Philyaw

indebted to them in the sum of \$271.00 Dollars,
and that he has commenced on suit by summons and complaint on said indebtedness
against the said Dora Ruth Philyaw and James Philyaw

and that Loper Lumber Company

supposed 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 believe that process of Garnishment against the said
Dora Ruth Philyaw and James Philyaw

is necessary to obtain satisfaction of said claim; and that the said Loper Lumber Company
is believed to be chargeable 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 24 day of March 1966
Alice J. Duck, Clerk Circuit Court.

116

No. 6916

THE STATE OF ALABAMA
Baldwin County.

CIRCUIT COURT

Plaintiff

TO

Defendant

Bond and Affidavit in Garnishment
on Summons

Filed this day of

19

Clerk.