

STATE OF ALABAMA,
BALDWIN COUNTY.

IN THE CIRCUIT COURT--LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon M. R. Howell 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 the Peoples Fertilizer Company, a Corporation.

Witness my hand this 18 day of July, 1936.

J. R. Howard
Clerk.

COMPLAINT.

PEOPLES FERTILIZER COMPANY,
A Corporation,

Plaintiff,

-vs-

M. R. HOWELL,

Defendant.

IN THE CIRCUIT COURT--LAW SIDE
STATE OF ALABAMA
BALDWIN COUNTY.

The Plaintiff claims of the Defendant Seven Hundred Sixty-five & 22/100 Dollars (\$765.22), due by Promissory Note made by him on, to-wit, March 30th, 1931, and payable on, to-wit, May 15th, 1931, with interest thereon. Plaintiff admits credit of Three Hundred Fifty-eight & 10/100 Dollars (\$358.10) on said note, which payment was made on June 6th, 1931.

The Plaintiff alleges and avers that in, by and as a part of said Note Defendant agreed to pay all costs of collecting or securing, or attempting to collect or secure, such debt, including a reasonable attorneys' fee, and the Plaintiff further claims of the Defendant the further and additional sum of One Hundred Dollars (\$100.00) as such reasonable attorneys' fee.

The Plaintiff further alleges and avers that in, by and as a part of said note, Defendant waived as to the debt evidenced thereby, or any renewals thereof, all rights to exemption under

7-514
SUMMONS & COMPLAINT.

PEOPLES FERTILIZER COMPANY,
A Corporation,

Plaintiff,

-VS-

M. R. HOWELL,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE
STATE OF ALABAMA
BALDWIN COUNTY.

Filed July 10, 1936,
Robert W. Chason
Clerk.

LAW OFFICES
HYBART & CHASON
BAY MINETTE, ALABAMA

Executed this 3rd
day of July 1936
By serving a copy
of the within
Summons & Complaint
on M. R. Howell
Deft
M. Wilkins - Sh
By Lennie Bryan D.C.

(page two)

the Constitution and Laws of the State of Alabama, or any other State, as to personal property, and of this waiver the Plaintiff now claims the benefit.

All of said sums of money, together with interest thereon, are still due and unpaid.

Hybart & Mason
Attorneys for Plaintiff.

STATE OF ALABAMA, BALDWIN COUNTY

IN THE CIRCUIT COURT

Term, 19__

PEOPLES FERTILIZER COMPANY, a Corporation,

Plaintiff.

Versus

M. R. HOWELL,

Defendant.

G. W. ROBERTSON, AND G. W. ROBERTSON, AS PROBATE JUDGE OF BALDWIN
COUNTY, ALABAMA,

Garnishee.

To M. R. HOWELL, DEFENDANT:-

You will take notice that affidavit having been made in the above stated cause, that

G. W. Robertson, and G. W. Robertson, as Probate Judge of Baldwin
County, Alabama,is supposed to be indebted to the said defendant, M. R. Howell,or have effects of the said M. R. Howell in hispossession or under his control and that Plaintiff believe s that process of gar-nishment is necessary against said G. W. Robertson and G. W. Robertson ^{son,} ~~to obtain~~
as Probate Judge of Baldwin County, Alabama, to obtain
satisfaction of said ~~judgment~~ claim.That Writ of Garnishment has this day been issued to the said G. W. Robertson, and G.
Baldwin County, Alabama,
W. Robertson, as Probate Judge of commanding him to be and appear beforethe Circuit Court to be holden for Baldwin County, Alabama, and within thirty daysafter service thereof, then and there to answer on oath what sum he is indebted to saidM. R. Howell at the time of service of this Writ of Garnishment.or at the time of making his answer, and whether he will not be indebtedin future to M. R. Howell by a contract then existing, and whether he has ~~have~~ not inhis possession or under his control personal or real property or things in action be-longing to defendant, M. R. Howell.Witness my hand this the 10 - day of July, 1936. Clerk.

No.

STATE OF ALABAMA

..... COUNTY

CIRCUIT COURT

PEOPLES FERTILIZER COMPANY,
A Corporation,

vs.

Plaintiff.

M. R. HOWELL,

Defendant.

G. W. Robertson, and G. W. Robertson, as Probate Judge of Baldwin County, Alabama, Garnishee.

Notice to Defendant of Issuing
Garnishment

Attorney.

(Box 670-2) MARSHALL & BRUCE CO., NASHVILLE

Received in office 19.....

Sheriff.

Executed by serving
cop. Y of the within Writ of Garnishment on the within named.

M. R. Howell

on the 23rd day of July, 1936

M. W. Wilkins
By Lennis Bryan D. Sheriff.

The State of Alabama,
Baldwin County

CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA--GREETING:

Whereas Peoples Fertilizer Company, a Corporation,
has commenced suit by Summons and Complaint returnable to the next term of the Circuit Court
of said County, against M. R. Howell

for the sum of \$407.12, together with interest/ and Attorneys' fee, Dollars and whereas, the said
Peoples Fertilizer Company, a Corporation,

has entered into bond, and made affidavit as required by law that the said

M. R. Howell
is indebted to it in the sum of \$407.12, together with interest and
Attorneys' fee,
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 G. W. Robertson and G. W. Robert-
son, as Probate Judge of Baldwin County, Alabama,

is believed to be chargeable as garnishee in the cause.

YOU ARE THEREFORE, commanded to summon the said G. W. Robertson and G.
W. Robertson, as Probate Judge of Baldwin County, Alabama,

to be and appear at the Fall term of the Circuit Court, to

be holden for the County of Baldwin, on 1936,
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
garnishment 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 property, and whether you have not in your possession or under your control money or
effects belonging to the defendant.

Witness my hand this 10 day of July, 1936.

Ratu L. Duce
Clerk.

RECORDED

7-509 No.

278

Circuit Court of Baldwin County

PEOPLES FERTILIZER COMPANY,
A Corporation,

VS. } GARNISHMENT ON SUMMONS

M. R. HOWELL.

Issued 10 day of July 1923

Plaintiff's Attorney

Moore Printing Co. Bay Minette, Ala.

Executed this 10th day
of July 1923 by serving
a copy of the within on
J. W. Robertson and
J. W. Robertson as
Probat Judge.

M. W. Wilkins - Shff

By Lonnie Bryans D. C.

BOND

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT.

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned,are held and firmly bound unto M. R. Howellin the sum of Fourteen Hundred DOLLARS,to be paid to the said M. R. Howell, his

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 July day of 1936.

The Condition of the Above Obligation is Such, That whereas, the above bound Peoples Fertilizer Company, a Corporation,

has commenced suit in the Circuit Court of said County by summons and complaint, which have issued from said Court, to recover of said M. R. Howell

the sum of \$407.12, together with interest and Attorneys' fees Dollars,

and has on the day of the date hereof, prayed that Writ of Garnishment issue out of said Court to G. W. Robertson, and G. W. Robertson, as Probate Judge of Baldwin County, Alabama, summoning him to answer what sum he is indebted to said Defendant, M. R.

Howell, or what effects of said Defendant, M. R. Howell, he has in his possession, or under his 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 he 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.

PEOPLES FERTILIZER COMPANY,
A Corporation,

By [Signature] (Seal)
As its President.

[Signature] (Seal)

[Signature] (Seal)

[Signature] (Seal)

Approved this 10 day of July A. D., 1936.

[Signature], Clerk.

THE STATE OF ALABAMA,
Baldwin County.

Before me, a Notary Public

in and for said County, personally appeared W. M. Stuart,

who, being duly sworn, doth depose and say that his name is W. M. Stuart; that he is President of the Peoples Fertilizer Company, a Corporation, the Plaintiff in that certain cause now pending in the Circuit Court of Baldwin County, Alabama, wherein the said Peoples Fertilizer Company is indebted to plaintiff, and M. R. Howell is defendant, and as such is duly authorized to make this Affidavit; that the said M. R. Howell is justly indebted to the Peoples Fertilizer Company in the sum of \$407.18, together with interest and Attorneys' fees, and that the Peoples Fertilizer Company has commenced a suit by summons and complaint on said indebtedness against the said M. R. Howell

and that G. W. Robertson and G. W. Robertson, as Probate Judge of Baldwin County, Alabama, is

supposed to be indebted to the said Defendant, M. R. Howell,

or to have effects of the said Defendant, M. R. Howell,

in his possession, or under his control, and that he believes that pro-

cess of Garnishment against the said G. W. Robertson and G. W. Robertson, as Probate Judge of Baldwin County, Alabama, is believed to be

necessary to obtain satisfaction of said claim; and that the said G. W. Robertson and G. W. Robertson, as Probate Judge of Baldwin County, Alabama, 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, M. R. Howell,

or other improper motives.

Sworn to and subscribed before me this 10 day of July, 1936.

Mary E. Green
Notary Public, Baldwin County,
State of Alabama.

RECORDED
7-510
275

116

NO.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

PEOPLES FERTILIZER COMPANY,
A Corporation,

PLAINTIFF

-VS- -PO

M. R. HOWELL.

DEFENDANT

Bond and Affidavit in Garnishment on Summons

Filed This 10 Day of July, 1936

CLERK