

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Howard C. Nihart 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 Baldwin County Bank, a Corporation.

Witness my hand this 21st day of December, 1936.

Circuit Clerk.

BALDWIN COUNTY BANK, a  
Corporation,

Plaintiff,

VS.

HOWARD C. NIHART,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 332.

The Plaintiff claims of the Defendant the sum of One Hundred Twenty-five Dollars (\$125.00) due by a promissory note made by the Defendant on the 10th day of December, 1931, and payable to the Plaintiff on the 2nd day of January, 1932, at the Baldwin County Bank, in Bay Minette, Alabama, which said note is the property of the Plaintiff and is still due and unpaid, together with the interest thereon. Plaintiff further avers that in and by the terms of the said note the Defendant waived all rights of exemption as to this debt and agreed to pay a reasonable attorney's fee for the collection of same, which said attorney's fee the Plaintiff alleges to be Twenty-five Dollars (\$25.00) and which it herewith claims.

Attorney for Plaintiff.

TO HOWARD C. NIHART, Defendant:

You are hereby notified that a Writ of Garnishment has been issued in this cause in which J. H. Stacey and Lamaya Sudeiha have been named as Garnishees.

RS Duck

Circuit Clerk.

2-1-1937  
 by serving copy of within Summons and  
 Complaint on  
*Howard C. Nihart*

*M. H. Wilkins*  
 By *C. N. Anderson* Deputy Clerk

SUMMONS AND COMPLAINT.

BALDWIN COUNTY BANK, a Corpor-  
 ation,

Plaintiff,

VS.

HOWARD C. NIHART,

Defendant.

IN THE CIRCUIT COURT OF  
 BALDWIN COUNTY, ALABAMA.  
 AT LAW. NO. 332.

*Filed Dec 21 1936*  
*R. D. Smith*  
*Clk*

J. B. BLACKBURN  
 ATTORNEY AT LAW  
 BAY MINETTE, ALABAMA

BALDWIN COUNTY BANK, a  
Corporation,

Plaintiff,

VS.

HOWARD C. NIHART,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 332.

J. H. STACEY and LAMAYA  
SUDEIHA,

Garnishees.

ANSWER OF GARNISHEE.

Now comes J. H. Stacey, Garnishee in the said  
cause, and for answer to the writ of garnishment served on him on  
the 21st day of December, 1936, says:

ONE:

That he was indebted to Frank B. Nihart and  
Son in the sum of \$82.45, being the amount due for commissions  
on a sale of a part of the Post Office site in the town of Bay  
Minette, Alabama; that at the time the said garnishment was served  
on him, the said Frank B. Nihart and Son were indebted to him in  
the sum of \$46.76, and that this amount was deducted from the  
total commissions, leaving the balance due of \$35.69 at this time.  
Garnishee is not indebted to said parties in any other way or manner  
and will not be indebted in the future by a contract existing at  
the time the writ of garnishment was served on him in said cause,  
or at the time of making this, his answer thereto.

J. H. Stacey  
Garnishee.

Sworn to and subscribed before me on  
this the 18th day of January, 1937.

Mary Lou Fartenberry  
Notary Public, Baldwin County, Alabama.

RECORDED  
*Suck*

ANSWER OF GARNISHEE. 8-13

BALDWIN COUNTY BANK, a  
Corporation,

Plaintiff,

VS.

HOWARD C. NIHART,

Defendant.

J. H. STACEY and LAMAYA  
SUDEIHA,

Garnishees.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NO. 332.

Filed on this the 18th day of  
January, 1937.

*R. S. Suck,*  
Clerk

BALDWIN COUNTY BANK, a  
Corporation,  
Plaintiff,

VS.

HOWARD C. NIHART,

J. H. STACEY,  
LAMAYA SUDEIHA,  
Garnishees.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW. NO. \_\_\_\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

Whereas, on the 21st day of December, 1936, the Baldwin County Bank, a Corporation, filed its Complaint in the Circuit Court of Baldwin County, Alabama, claiming of Howard C. Nihart the sum of One Hundred Twenty-five Dollars (\$125.00), on which a summons has issued and the Plaintiff having made affidavit that J. H. Stacey and Lamaya Sudeiha are supposed to be indebted to or have in their possession or under their control goods, effects or things in action belonging to the said Defendant, and that it believes process of garnishment against the said J. H. Stacey and Lamaya Sudeiha is necessary to obtain satisfaction of said claim.

You are, therefore, hereby commanded to summon the said J. H. Stacey and Lamaya Sudeiha to be and appear before the Circuit Court of Baldwin County, Alabama, at the Court House thereof within thirty days as required by law, then and there to answer on oath whether they or either of them were indebted to the above named Defendant at the time of the service of the summons in the foregoing stated cause or at the time of making answer hereto and in what sum or sums; and whether they will not be indebted in future to said Defendant by a contract then existing or at the time of the service of this summons; and whether they have not in their possession or under their control real or personal property, or things in action belonging to the said Howard C. Nihart, Defendant.

Herein fail not and have you then and there this writ.

IN WITNESS WHEREOF, I have hereunto set my hand and

Clerk and affixed the seal of the Court on this the 21st day of  
December, 1936.

*[Signature]*

1936.  
dated this 21st day of December,

Circuit Clerk.

FILE NO. \_\_\_\_\_

WILKINSON COUNTY, ALABAMA.

IN THE CIRCUIT COURT OF

Guaranties.

WILKINSON COUNTY,  
ALABAMA.

Defendant.

HOWARD C. MURPHY,

AS.

Plaintiff.

WILKINSON COUNTY BANK, a corpor-

ATION OF GUARANTIES.

(copy)

WRIT OF GARNISHMENT.

BALDWIN COUNTY BANK, a Corpor-  
ation,

Plaintiff,

VS.

HOWARD C. NIHART,

Defendant.

J. L. STACEY,  
LAWYER SUDEIHA,

Garnishees.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NO. \_\_\_\_.

Dated this 21st day of December,  
1936.

December, 1936.

Clerk and attested the seal of the Court on this the 21st day of



BALDWIN COUNTY BANK, a  
Corporation,

Plaintiff,

VS.

HOWARD C. NIHART,

Defendant.

J. H. STACEY,  
LAMAYA SUDEIHA,

Garnishees.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 332.

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

Whereas, on the 21st day of December, 1936, the Baldwin County Bank, a Corporation, filed its Complaint in the Circuit Court of Baldwin County, Alabama, claiming of Howard C. Nihart the sum of One Hundred Twenty-five Dollars (\$125.00), on which a summons has issued and the Plaintiff having made affidavit that J. H. Stacey and Lamaya Sudeiha are supposed to be indebted to or have in their possession or under their control goods, effects or things in action belonging to the said Defendant, and that it believes process of garnishment against the said J. H. Stacey and Lamaya Sudeiha is necessary to obtain satisfaction of said claim.

You are, therefore, hereby commanded to summon the said J. H. Stacey and Lamaya Sudeiha to be and appear before the Circuit Court of Baldwin County, Alabama, at the Court House thereof within thirty days as required by law, then and there to answer on oath whether they or either of them were indebted to the above named Defendant at the time of the service of the summons in the foregoing stated cause or at the time of making answer hereto and in what sum or sums; and whether they will not be indebted in future to said Defendant by a contract then existing or at the time of the service of this summons; and whether they have not in their possession or under their control real or personal property, or things in action belonging to the said Howard C. Nihart, Defendant.

Herein fail not and have you then and there this writ.

IN WITNESS WHEREOF, I have hereunto set my hand and

Clerk and affixed the seal of the Court on this the 21st day of  
December, 1936.

*R. L. Hines*

338.  
this 21st day of December,  
1936.  
Circuit Clerk  
AT LAW  
BALDWIN COUNTY, ALABAMA.  
NO. 338.

IN THE CIRCUIT COURT OF

Garnishees.

LEWIS RUDEN,  
J. H. STACEY,

Defendants.

HOWARD C. NICHOLS,

vs.

Plaintiff.

BALDWIN COUNTY BANK, a corpor-

WRIT OF HABEAS CORPUS.

WRIT OF GARNISHMENT.

BALDWIN COUNTY BANK, a Corpor-  
ation,

Plaintiff,

VS.

HOWARD C. NIHART,

Defendant.

J. H. STACEY,  
LAMAYA SUDEIHA,

Garnishees.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 332.

Dated this 21st day of December,  
1936.

Circuit Clerk

*[Signature]*

December, 1936.


Clerk and affixed the seal of the Court on this the 21st day of

BALDWIN COUNTY BANK, a  
Corporation,  
  
Plaintiff,  
  
VS.  
  
HOWARD C. NIHART,  
  
Defendant.


IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
  
AT LAW. NO. 332.

STATE OF ALABAMA  
BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared S. F. Holmes, who, after being by me first duly and legally sworn, deposes and says: That he is President of the Baldwin County Bank, a Corporation, and as such officer is duly authorized to make this affidavit for and on behalf of the said Corporation: Affiant further deposes and says that Howard C. Nihart is indebted to the Baldwin County Bank, a Corporation, in the sum of One Hundred Twenty-five Dollars (\$125.00) with interest thereon for the recovery of which it has commenced suit in the Circuit Court of Baldwin County, Alabama; that he believes process of garnishment against J. H. Stacey and <sup>Lamaya</sup> ~~M/ Sudeha~~ is necessary to obtain satisfaction of the said indebtedness, and that the said J. H. Stacey and Lamaya Sudeiha are supposed to be indebted to or have effects of the said Defendant in their possession or under their control.



Sworn to and subscribed before me  
on this the 21st day of December, 1936.

  
Notary Public, Baldwin County, Alabama.

GARNISHMENT BOND.

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS: That we, the Baldwin County Bank, a Corporation, as Principal, and S. F. HOLMES and C. L. WHITE, as Sureties, are held and firmly bound unto Howard C. Nihart in the sum of Three Hundred Dollars (\$300.00) for the payment of which well and truly to be made, the Principal binds itself, its successors and assigns, and the sureties bind themselves, their heirs, executors or administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 21st day of December, 1936.

The condition of the above obligation is such that whereas, the above bound Baldwin County Bank, a Corporation, has brought suit now pending against the said Howard C. Nihart in the Circuit Court of Baldwin County, Alabama, to recover of the said Howard C. Nihart, the sum of One Hundred Twenty-five Dollars (\$125.00), and interest thereon, and has this day prayed that a Writ of Garnishment issue to J. H. Stacey and Lamaya Sudein <sup>to</sup> answer what they are indebted to or what effects of said Defendant they have in their possession or under their control, and the said Plaintiff, by its duly authorized agent, having made oath and entered into this bond as required by law, has obtained said Writ of Garnishment returnable at the next term of said Court.

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

BALDWIN COUNTY BANK, a Corporation,  
(Seal)

By Stacey  
As its President.

St. John (SEAL)  
Conner (SEAL)

Taken and approved on this the 21st day  
of December, 1936.

R. L. Huch

Circuit Clerk.

8-12  
GARNISHMENT AFFIDAVIT AND BOND.

BALDWIN COUNTY BANK, a Corpor-  
ation,

Plaintiff,

VS.

HOWARD C. NIHART,

Defendant.

J.H. STACEY & LAMAYA SUDEIHA,  
Garnishees.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 332.

*Filed Dec 21 1934*  
*R. B. Blackburn*  
*Clerk*

J. B. BLACKBURN  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

BALDWIN COUNTY BANK, a  
Corporation,

Plaintiff,

VS.

HOWARD C. NIHART,

Defendant.

J. H. STACEY,  
LAMAYA SUDEIHA,

Garnishees.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW. NO. \_\_\_\_.

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

Whereas, on the 21st day of December, 1936, the Baldwin County Bank, a Corporation, filed its Complaint in the Circuit Court of Baldwin County, Alabama, claiming of Howard C. Nihart the sum of One Hundred Twenty-five Dollars (\$125.00), on which a summons has issued and the Plaintiff having made affidavit that J. H. Stacey and Lamaya Sudeiha are supposed to be indebted to or have in their possession or under their control goods, effects or things in action belonging to the said Defendant, and that it believes process of garnishment against the said J. H. Stacey and Lamaya Sudeiha is necessary to obtain satisfaction of said claim.

You are, therefore, hereby commanded to summon the said J. H. Stacey and Lamaya Sudeiha to be and appear before the Circuit Court of Baldwin County, Alabama, at the Court House thereof within thirty days as required by law, then and there to answer on oath whether they or either of them were indebted to the above named Defendant at the time of the service of the summons in the foregoing stated cause or at the time of making answer hereto and in what sum or sums; and whether they will not be indebted in future to said Defendant by a contract then existing or at the time of the service of this summons; and whether they have not in their possession or under their control real or personal property, or things in action belonging to the said Howard C. Nihart, Defendant.

Herein fail not and have you then and there this writ.

IN WITNESS WHEREOF, I have hereunto set my hand and



W. F. HOGGOWER, 2nd DEPT.

IN REPLY TO

Clerk and affixed the seal of the Court on this the 21st day of December, 1936.

*R. L. Decker*

Circuit Clerk.

TO THE

NO.

IN REPLY TO

IN REPLY TO

COMMISSIONER

W. F. HOGGOWER, 2nd DEPT.

COMMISSIONER

W. F. HOGGOWER, 2nd DEPT.

TO THE

COMMISSIONER

W. F. HOGGOWER, 2nd DEPT.

W. F. HOGGOWER, 2nd DEPT.

(RECEIVED) W. F. HOGGOWER, 2nd DEPT.

Executed by serving a copy of the within on J. H. Stacey this 21st day of December 1936

M. H. Wilkins, Sheriff.

By Lamie Rogers

D.S.

Received 21 Day of Dec 1936  
and on 21 Day of Dec 1936  
I served a Copy of the within garnishment  
on Lamaya Sudeiha  
by service on [Signature]  
as [Signature]  
R. L. HOLCOMBE, Sr., Sheriff  
By H. F. Pryor D. S.

21/ (Original) RECORDED  
Duck  
8-13  
WRIT OF GARNISHMENT.

BALDWIN COUNTY BANK, a Corpor-  
ation,

Plaintiff,

VS.

HOWARD C. NIHART,

Defendant.

J. H. STACEY,  
LAMAYA SUDEIHA,

Garnishees.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NO. \_\_\_\_\_.

Dated this 21st day of December,  
1936.

CERTIFICATE OF JUDGMENT

The State of Alabama }  
Baldwin County }

Circuit Court, June Term, 19 39.

BALDWIN COUNTY BANK, a Corporation,

PLAINTIFF

Vs.

HOWARD C. NIEMART,

DEFENDANT.

I, R. S. Duck, Clerk of the Circuit Court of Baldwin County,

Alabama, do hereby certify that on the 17th day of August, 19 37,

a Judgment was rendered by said Court in the above stated cause, wherein

BALDWIN COUNTY BANK, a Corporation,

was Plaintiff and HOWARD C. NIEMART,

was Defendant, in

favor of the said Plaintiff and against the said Defendant for the sum of ONE HUNDRED

NINETY TWO & 19/100 (\$192.10) DOLLARS,

and for the sum of TWENTY ONE & 45/100 (\$21.45) DOLLARS,

the costs in said suit and that J. B. BLACKBURN

are the Attorneys of record for the Plaintiff in said cause.

Witness my hand this 7th day of June, 19 39

Clerk, Circuit Court, Baldwin County, Alabama.

By:

Deputy Clerk

# Certificate Of Judgment

BALDWIN COUNTY BANK,

a Corp.,

Plaintiff

Vs.

HOWARD C. NIWART,

Defendant

The Baldwin Times

The State of Alabama,  
Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA,—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON S. M. Adams

at the instance of the Defendants, if he should be found in your County, personally  
to be and appear before the Circuit Court of Baldwin County at the present term thereof, to be holden at the Court  
House in Bay Minette, to wit: on the 11th, day of April, 1944  
at 9 o'clock A. M. and to bring with him and produce at the time and place aforesaid, to be used as evidence

(here describe it),  
Pay roll records of S. M. Adams covering all persons employed on  
July 20, 1943.

Copy of Social Security Return covering period of time embracing  
July 20, 1943.

and then and there testify and the truth to speak concerning all and singular those things of which he may have knowl-  
edge, or the said instrument of writing doth import of, and concerning, and concerning a certain suit now pending and  
undetermined in said Court, wherein R. T. Sorrell is Plaintiff  
and Fruitdale Lumber Company, et als, are Defendant.<sup>S.</sup>

And this he shall in nowise omit, under penalties of what the law directs, and shall have you, then and there this writ  
with your endorsement thereon in what manner you have executed same.

Witness my hand, this 10th day of April, 1944

R. R. Luck

Clerk.

*Civil*

*332*

No. \_\_\_\_\_

THE STATE OF ALABAMA  
Baldwin County

Plaintiff

VS. SUBPOENA DECUS TECUM

Defendant.

CIRCUIT COURT

WITNESSES:

*Dm Adams*  
*119 Kilmarnoch*

*2 called Mr. Adams of*  
*and he stated that*  
*Raymond got information*  
*and had made for Mr. Adams*

SET FOR TRIAL

\_\_\_\_ day of \_\_\_\_\_ 192\_\_\_\_