

1291

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon Julious W. Wright to appear before the Circuit Court of Baldwin County, in and for said County, at the place of holding the same, within thirty days from the service of this summons and complaint, and then and there to demur, answer or plead to the Complaint of The Fidelity and Casualty Company of New York, a Corporation, and you are hereby commanded to execute this process and make return as required by law.

Witness my hand this 19th day of January, 1949.

Alice J. Leucka
Clerk.

THE FIDELITY AND CASUALTY	0	
COMPANY OF NEW YORK, A	1	
CORPORATION,	1	
	1	IN THE CIRCUIT COURT OF
Plaintiff,	1	
	1	BALDWIN COUNTY, ALABAMA.
vs.	1	
	1	
JULIOUS W. WRIGHT,	1	
	1	
Defendant.	1	

The Plaintiff claims of the Defendant the sum of One Thousand Three Hundred Eighty-four and 98/100 Dollars (\$1,384.98), together with interest thereon as damages in this: that on to-wit, the 26th day of August, 1942, the Defendant made application to the Plaintiff for an individual Fidelity Bond in favor of the Eelbeck Milling Company of Columbus, Georgia; and thereafter the Plaintiff acting in pursuance of said application did execute as surety for the Defendant an individual Fidelity Bond in favor of the Eelbeck Milling Company, the employer of said Defendant. And Plaintiff further avers that on, to-wit: the 6th day of February, 1948, there was existing in full force and effect an individual Fidelity Bond in the amount of Ten Thousand Dollars (\$10,000.00) in favor of the said Eelbeck Milling Company, which bond was executed by the Plaintiff as surety for the Defendant, who at that time was employed as Salesman and Local Manager of the Eelbeck Milling Company at

Augusta, Georgia. And Plaintiff further avers that on, to-wit: the 6th day of February, 1948, after due and proper investigation it was ascertained and determined that said Defendant had misappropriated monies and merchandise in the sum of One Thousand Three Hundred Eighty-four and 98/100 Dollars (\$1,384.98), which was the property of said Eelbeck Milling Company, and that said money and merchandise were misappropriated by said Defendant while acting in the capacity as Salesman and Local Manager of said Eelbeck Milling Company at Augusta, Georgia.

And Plaintiff further avers that on, to-wit: the 20th day of May, 1948, it was forced to pay in accordance with the terms of the said individual Fidelity Bond, the sum of One Thousand Three Hundred Eighty-four and 98/100 Dollars (\$1,384.98) to said Eelbeck Milling Company for the use and benefit of the Defendant to cover the losses caused by said misappropriation of the Defendant. And Plaintiff further avers that by and in accordance with the terms of the application for Fidelity Insurance executed by the Defendant on the 26th day of August, 1942, the Defendant agreed for himself, his heirs, executors and administrators to indemnify the Plaintiff against any losses, damages, costs, charges and expenses that the Plaintiff may sustain, incur or become liable for in consequence of any acts of the Defendant while under the said bond or any renewal thereof or any new bond issued in continuation thereof or as a substitute therefor; hence this suit.

HYEART, CHASON & STONE

BY:



Attorneys for Plaintiff.

this 19 day of Jan, 1949
TAYLOR WILKINS, Sheriff

Executed Jan 21 1949
by serving copy of within Summons and
Complaint on

Julious W. Wright

Taylor Wilkins Sheriff
By Ellinger Steadler Deputy Sheriff

No. 1291 1-21-49

THE FIDELITY AND CASUALTY
COMPANY OF NEW YORK, a
Corporation,

Plaintiff,

vs.
JULIOUS W. WRIGHT,

Defendant.

S. Hice

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

SUMMONS AND COMPLAINT

FILED

JAN 19 1949

ALICE J. DUCK, Clerk

LAW OFFICES
HYBART, CHASON & STONE
BAY MINETTE, ALABAMA

THE FIDELITY AND CASUALTY
COMPANY OF NEW YORK, A
Corporation,

Plaintiff,

vs.

JULIOUS W. WRIGHT,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

MOTION FOR JUDGMENT BY DEFAULT

Now comes the Plaintiff in the above styled cause by its Attorneys and moves the Court to render a Judgment by default in favor of the Plaintiff and against the Defendant for the amount claimed in Plaintiff's Complaint that has heretofore been filed in this cause.

A copy of said Summons and Complaint was served on the Defendant, Julious W. Wright, on January 21, 1949, and he has to the date hereof failed to plead, answer or demur to said Complaint.

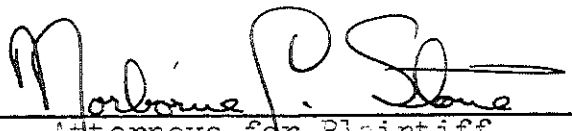
This suit is to recover the sum of One Thousand Three Hundred Eighty-four and 98/100 Dollars (\$1,384.98) due from the Defendant to the Plaintiff by virtue of the terms and provisions of an individual Fidelity and Guaranty Bond executed by the Plaintiff at the request of the Defendant in favor of Helbeck Milling Company of Columbus, Georgia.

WHEREFORE, the Plaintiff moves the Court to render a Judgment for Plaintiff and against the Defendant on the said Bond for the sum of One Thousand Three Hundred Eighty-four and 98/100 Dollars (\$1,384.98).

Respectfully submitted,

Hybart, Chason & Stone

BY:


Attorneys for Plaintiff.

THE FIDELITY AND CASUALTY
COMPANY OF NEW YORK, A
Corporation,

Plaintiff,

vs.

JULIOUS W. WRIGHT,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
LAW SIDE.

MOTION FOR JUDGMENT BY DEFAULT

*Filed 3-2-49
Alice J. Enck
clerk.*

Civil
1. Record
2. Minutes
3. Place in
file

CERTIFICATE OF JUDGMENT

Printed by The Baldwin Times, Bay Minette, Ala.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT, March Term, 19 49

THE FIDELITY AND CASUALTY CO. of NEWYORK

Plaintiff....

Vs.

JULIUS W. WRIGHT

Defendant ..

I, Alice J. Duck, Clerk of the Circuit Court of Baldwin County,

Alabama, do hereby certify that on the 2nd day of March, 19 49,

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

THE FIDELITY AND CASUALTY CO. of NEWYORK

was Plaintiff and JULIUS W. WRIGHT

was Defendant, in

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

One thousand, three hundred, eighty-four and 98/100 DOLLARS

and for the sum of Eleven and 25/100 DOLLARS,

the costs in said suit, and that Hybart, Chason & Stone

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

Witness my hand this 10th day of March, 19 49

Alice J. Duck
Clerk, Circuit Court, Baldwin County, Alabama.

CERTIFICATE OF JUDGMENT

THE FIDELITY AND CASUALTY CO. of NEWYORK

.....

....., Plaintiff....

Vs.

JULIUS W. WRIGHT

.....

....., Defendant....

THE FIDELITY & CASUALTY COMPANY
OF NEW YORK, A CORPORATION,

Plaintiff,

vs.

JULIUS W. WRIGHT,

Defendant.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

PETITION TO REVIVE JUDGMENT

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, LAW SIDE,
AND TO THE HONORABLE HUBERT M. HALL, JUDGE THEREOF:

Comes now the Plaintiff in the above styled cause, by its attorneys of record, and respectfully represents and shows unto this Honorable Court as follows:

That the Plaintiff is the owner and holder of a judgment obtained in this Honorable Court in that certain cause numbered 1291, on the 2nd day of March, 1949, in the principal amount of One Thousand Three Hundred and Eighty-four Dollars and Ninety-eight Cents (\$1,384.98), against the above named Julius W. Wright, the Defendant in said cause. That no payment has been made on such judgment or the cost of court and such judgment remains unsatisfied. That an execution was issued against the Defendant on the 11th day of June, 1949, for the sum of One Thousand Three Hundred Eighty-four Dollars and Ninety-eight Cents (\$1,384.98) plus Eleven Dollars and Twenty-five Cents (\$11.25) cost of court and such execution was returned to this Honorable Court on the 29th day of July, 1949, with the endorsement by the Sheriff of Baldwin County, Alabama, that he found no property of the Defendant upon which he could levy. That a certificate of judgment was issued by the Clerk of this Court on March 10, 1949, and was filed for record in the Office of the Judge of Probate of Baldwin County, Alabama, on March 12, 1949, and is recorded in Judgment Book 4, at page 246. The said Julius W. Wright, the Defendant in the above styled cause, is a resident of the State of Alabama, residing at Summerdale, Alabama.

WHEREFORE, the Plaintiff respectfully prays that a Writ of Scire Facias issue out of this Honorable Court, requiring the De-

fendant Julius W. Wright to show cause, if any, within thirty (30) days after service of such Writ, why said judgment should not be in all things revived and execution issued on the same, and that upon the hearing of this petition, if no legal reason be shown why said judgment should not be revived, an order reviving the same be entered with provisions for execution.

Respectfully submitted,

CHASON & STONE

By: 

Attorneys for Fidelity & Casualty
Company of New York, a Corporation

The above petition having been this day filed in this Court and the same having been brought to the attention of the Court, and upon consideration of the same by the Court, it is

ORDERED that a Writ of Scire Facias issue by the Clerk of this Court to the said Julius W. Wright in accordance with the statutes in such cases made and provided.

Done this 20th day of June, 1959.


Circuit Judge

RECORDED

1291 : cu

STATE OF ALABAMA

IN THE CIRCUIT COURT OF BALDWIN COUNTY

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to forthwith serve the within Writ personally on Julius W. Wright at Summerdale, Alabama, or wherever he may be found within this State.

Witness my hand on this the 20th day of June, 1959.

Alice J. Wright
Clerk

THE FIDELITY & CASUALTY COMPANY
OF NEW YORK, A CORPORATION,

Plaintiff,

vs.

JULIUS W. WRIGHT,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

TO: JULIUS W. WRIGHT

You will take notice that the Plaintiff in the above styled cause has filed a petition in the Circuit Court of Baldwin County, Alabama, to revive a judgment rendered against you on March 2, 1949, in favor of said Plaintiff in the sum of One Thousand Three Hundred Eighty-four Dollars and Ninety-eight Cents (\$1,384.98) and the additional sum of Eleven Dollars and Twenty-five Cents (\$11.25), cost of court, being cause number 1291 in said Court.

NOW, THEREFORE, you are hereby notified to show cause, if any you have, within thirty days after the service hereof, why said judgment should not be revived against you.

Witness my hand this the 20th day of June, 1959.

Alice J. Wright
Circuit Clerk

RECORDED

THE FIDELITY & CASUALTY
COMPANY OF NEW YORK, A
CORPORATION,

Plaintiff,

vs.

JULIUS W. WRIGHT,

Defendant.

Y

Y

Y

Y

Y

Y

Y

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

ORDER REVIVING JUDGMENT

This day came the Plaintiff in the above styled cause, by its attorneys, and the Defendant, being called and notified as required by law, came not; and it appearing to the Court that on March 2, 1949, a judgment was rendered in favor of the Plaintiff and against the Defendant in the sum of One Thousand Three Hundred Eighty-four Dollars and Ninety-eight Cents (\$1,384.98) and the additional sum of Eleven Dollars and Twenty-five Cents (\$11.25), cost of court; and it further appearing to the Court that said judgment has not been paid and the same remains unsatisfied and that the Plaintiff did file its petition to revive such judgment; and the Court having considered all of the above, is of the opinion that said judgment should be revived so that execution may issue thereon; it is, therefore

ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, that the motion of The Fidelity & Casualty Company of New York, a Corporation, to revive that certain judgment rendered in its favor against Julius W. Wright by this Court on March 2, 1949, be, and the same hereby is granted, and that said judgment be, and the same is hereby revived in the name of The Fidelity & Casualty Company of New York, a Corporation, the Plaintiff in said cause, and against Julius W. Wright, the Defendant in said cause, for the sum of One Thousand Three Hundred Eighty-four Dollars and Ninety-eight Cents (\$1,384.98) together with interest thereon from the date of such judgment and together with the cost in this behalf expended, and for all of which let execution issue.

Done this the 23rd day of October, 1959.

Hubert M. Hlee
Circuit Judge

Garnishment on Judgment.

The State of Alabama,
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

October

TERM, 19 60

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular March Term, 19 49, of the Circuit Court of Baldwin County,
to-wit: On the 2nd day of March, 19 49, being a regular day of
said term, The Fidelity & Casualty Company of New York, a corporation,
recovered judgment against Julius W. Wright

for the sum of Thirteen Hundred and eighty-four and 9/10 Dollars, and cost of suit,
and affidavit having been made by Norborne C. Stone, Jr.
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the
following named persons or corporations, viz:

Baldwin Chemical Company and

Nitrogen Service Company

has or is believed to have in their possession, or under their control money
or effects belonging to said defendant or that each of them is, or
is believed to be indebted to said defendant him or to be liable to ~~him 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 Baldwin Chemical Company
and Nitrogen Service Company

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, on the first Monday in November A. D. 19 60,
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 time making their answer, or at any time intervening the time of serv-
ing the garnishment, and making the answer they ~~was~~ were indebted to said defendant
and whether they will not be indebted in future to said defendant
by a contract then existing, and whether by a contract then existing they
is, or are, liable to said defendant ~~for~~ 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 each of them has not in its possession or under its control money or
effects belonging to the defendant Julius W. Wright

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

Witness, ALICE J. DUCK, Clerk of said Court, this 21 day of April ~~October~~, A. D., 19 60

Issued _____ day of _____ A. D., 19 ____

ATTEST:

64-26-61

Alice J. Duck, Clerk.

Received 24 day of April 1961
and on 26 day of April 1961
I served a copy of the within Yulit
on Baldwin Chemical Co.
By service on Harold M. Murrell

TAYLOR WILKINS, Sheriff
By Orlando D. S.
Summerville

Received 24 day of April 1961
and on 26 day of April 1961
I served a copy of the within White
on Atwood & Murrell Co.
By service on H. Murrell

TAYLOR WILKINS, Sheriff
By Orlando D. S.
Summerville

Sheriff claims 120 miles of
Ten Cents per mile Total \$ 12.00
TAYLOR WILKINS, Sheriff
BY CC DEPUTY SHERIFF

Circuit Court, Baldwin County

No. 12-912

The Fidelity & Casualty Co
of New York

VS. } Garnishment On Judgment

Julius W. Wright

Issued 26 day of April 1961

Returnable 26 day of April 1961

FILED

APR 21 1961

ALICE J. DUCK, CLERK
REGISTER

Attorney

Summerville Ala

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Blanche White, a Notary Public, in and for said County in said State, an officer authorized to administer oath, personally appeared Norborne C. Stone, Jr., who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That his name is Norborne C. Stone, Jr., and he is one of the attorneys of record for the Fidelity and Casualty Company of New York, a corporation, the owner and holder of the judgment rendered in that certain cause wherein said corporation was the Plaintiff and Julius W. Wright was the Defendant in the Circuit Court of Baldwin County, Alabama, and in which cause, on March 2, 1949, a judgment was rendered in favor of the Plaintiff and against the Defendant in the principal amount of One Thousand Three Hundred and Eighty-four Dollars and Ninety-eight Cents (\$1,384.98) and the further sum of Eleven Dollars and Twenty-five Cents (\$11.25) court costs. That the amount due from the Defendant Julius W. Wright to the Plaintiff, the Fidelity and Casualty Company of New York, a corporation, under said judgment, is Two Thousand Three Hundred and Five Dollars and Eighty-eight Cents (\$2,305.88). That said judgment was revived by an order of this Court dated the 19th day of October, 1959. That he believes process of garnishment is necessary to obtain satisfaction of said judgment and that Baldwin Chemical Company and/or Nitrogen Service Company are believed to be indebted to the said Julius W. Wright or have in their possession or under their control money, property or choses in action belonging to the said Julius W. Wright. That he believes that Baldwin Chemical Company and/or Nitrogen Service Company are chargeable as garnishees in said cause.


Norborne C. Stone, Jr.

Sworn to and subscribed before me on
this the 4th day of October, 1960.


Notary Public, Baldwin County, Alabama

129 1/2

FILED
APR 21 1961
ALICE J. DUCK, CLERK
REGISTER

State of Alabama

BALDWIN COUNTY

TO Julius W. Wright, Defendant:

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

The Fidelity & Casualty Company of New York, Plaintiff,

versus Julius W. Wright, Defendant,

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

Baldwin Chemical Company and Nitrogen Service Company

have been named as Garnishees.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 21

day of April, 194⁶¹

EJ-4-26-61

Clerk of the Circuit Court.

1291 1/2

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

TO

THE FIDELITY & CASUALTY COMPANY
OF NEWYORK

Plaintiff.....

VS.

JULIUS W. WRIGHT

Defendant.....

Received 21 day of April 1944
and on 26 day of Apr 1944

I served a copy of the within Notice
on Julius W. Wright

By service on _____

TAYLOR WILKINS, Sheriff
By [Signature] D. S.

[Signature]

Sheriff claims 60 miles at
Ten Cents per mile Total \$ 6.00
TAYLOR WILKINS, Sheriff
BY [Signature]
DEPUTY SHERIFF

FIDELITY & CASUALTY COMPANY
OF NEW YORK, a corporation,

Plaintiff

vs

JULIUS W. WRIGHT,

Defendant

NITROGEN SERVICE COMPANY,

Garnishee

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

Case No. 1291 $\frac{1}{2}$

Personally appeared before me, Lamar McKeown, a Notary Public in and for said State and County, Lamar McKeown, who is personally known to me, who being by me duly sworn, on oath says, that he is the Treasurer of Nitrogen Service Company, a corporation, and as such Treasurer has authority to make answer for the garnishee in the above-stated case, and answering the garnishment therein he says that the garnishee is not now indebted to the Defendant in any sum whatever other than for current wages which are not due in that the Defendant is indebted to the said Garnishee in an amount in excess of sums paid as wages, and was not indebted to him at the time of the service of this garnishment, nor at any time intervening between the time of the service of the garnishment and the making of this answer, and that it will not be indebted in the future to the said Defendant by any contract then or now existing other than for wages, if and when, the sums due the Garnishee are repaid, and that it will not be liable to the Defendant for the delivery of personal property by any contract then or now existing, for the delivery of personal property, nor for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and that it has not in its possession or under its control money or effects belonging to the Defendant.

Sworn to and subscribed
before me this 30th day of
August, 1961

John J. Hunt
Notary Public, Baldwin Co.
State of Alabama

FILED

AUG 31 1961

ALICE L. DUCK, CLERK
REGISTER

218

168

1291 1/2

FILED
AUG 31 1901
ALICE J. DUCK, CLERK
REGISTER

