## Answer of Garnishee

STATE OF ALABAMA COUNTY OF MOBILE		BALDWIN <b>MOEKIX</b> COUNTY, ALABAMA
J. W. WEBER	Plaintiff	
vs. No. 178		and the second
W. F. HAWIE	, Defendant	
70	<b>6</b>	
And now, on this day, comes	William J. O'Connor, Cle	erk of the Circuit Cour
of Mobile County, Alabar	ma,	
Garnishee in the above stated cause,	and for answer to the writ of Garnis	hment served upon him
	on the 11day	
	:	••••
upon oath, says thathe	<u>is</u>	indebted
to the above named Defendant at the	e time of the service of the writ of	Garnishment in the above stated
cause, or at the time of making	hisanswer hereto; and that.	hewill
notbe indebted in the futur	re to the said Defendant by a contrac	et then existing, or at the time of
this summons; and that	he has	xxxxxxxx in his
possession, or under his	control, personal or r	eal property, or things in action
belonging to the said		
Defendant, W. F. Hawie,	. in the sum of \$198.53 s	as represented by the
		•
	Saad and Doroty S. Saad,	
and Style Cleaners & La	aundry Inc. as the result	of a judgment rendered
against them on April	l, 1952, in favor of W. F	F. Hawie, Case No. 8870,
Civil Division of the (	Circuit Court of Mobile C	County, Alabama.
And Carnishae having fully on	rewered prays to be discharged with	h his
costs in this behalf expended.	nswered, prays to be discharged wit	reasonable
	/-10_	( ) ( ) ( )

Subscribed and sworn to before me, this 11 day of April, 1952.

CARLY PUBLIC, MOBILE COUNTY, ALABAMA.

William J. O'Connor

RECORDED 1782

3.4

## Circuit Court, MANAGE County

J. W. WEBER

VS. Answer of Garnishee

W. F. HAWIE

Filed 14 At day of April , 19 52.

Auich rench

# THE STATE OF ALABAMA, BALDWIN COUNTY

## CIRCUIT COURT

To Any Sheriff of the State of Alabama—Greeting:

Whereas,	J. W. WEBER				
has commenced suit	by Summons and Com	plaint returnabl	e to the next ter	m of the Circuit	Court of said
a de la compania del compania del compania de la compania del la compania de la c	and the second s			The second secon	· · · · · · · · · · · · · · · · · · ·
County, against	W. F. HAWIE				
grafitation grafitation grafitation grafitation	The first con-		endered to		
in the second		, , , , , , , , , , , , , , , , , , , ,			
for the sum ofOn	e thousand, three	hundred n	0/100	Dollars and wl	iereas, the said
J. W	. Weber				
White					
100 (100 (100 (100 (100 (100 (100 (100	**************************************				
has entered into bond	l, and made affidavit as	required by la	w that the said		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
10 (10 (10 (10 (10 (10 (10 (10 (10 (10 (	10 (1) 1 10 (1) 1 10 (1) 1				
W. F. Hawi					
is indebted to J. W.	. Weber	in the sum of	one thousand	l, three hundr	ed no/100
Dollars and that pro	cess of garnishment is				•
Donars, and that pro	cess of garmsmment is	believed to be	necessary to obta	in satisfaction of	such Judgment
as may be recovered	by Plaintiff, and that	William	J. OSonnor,	as chief Cler	r of the
Circuit Court	of Mobile County				
		—is believed to	be chargeable as	s garnishee in the	cause.
			er.		
			747	13. T 4.4	
YOU ARE T	HEREFORE, comman	nded to summo	n the said	Illam J. O'Co	rnor as
chief clerk of	the Circuit Cour	t of Mobile	County	<del></del>	
40	be and appear at the	within thir	tv davs	town of the Ci	ironit Court to
	be and appear at the			— term of the Ci	ireare Court, to
be holden for the Co	unty of Baldwin, on —				19,
	swer, upon oath, whetl				
	answer, or at any time				
	you were indebted to the				Secretary of the Control of Secretary Control of Se
**					
	ract then existing, and				
-	nal property, or for the				
personal property, or	r which is payable in p	ersonal propert	y, and whether	you have not in	your possession
or under your contro	l money or effects belo	onging to the de	efendant.		
Witness my h	and this 5th	day of	lpril		, 19_52
THE CHARLES AND THE STATE OF TH		_			•
		Ai.	ref- res		
		<u>vccl</u>	and the same		Clerk.
			<i>i</i> /		

Circui	t Cour	t of	Bald	win' Cor	ınty
:	4			100 (100 (100 (100 (100 (100 (100 (100	- 1 - 1 - 2 - 4
vs. {	GARNIS	SIM	NT O	n sum	10NS
		.)	1 /	7	
[ssued]	2-th	day o	r Ap	nis_1	952
Be	ely Legi	10 CE	-87	nre K	
Car	Com	1	A. A. Sarahanan and A.	nd	

STATE OF ALABAMA COUNTY OF MOBILE

KNOW ALL MEN BY THESE PRESENTS, that we, J. W. WEBER, and <u>AL KAHN</u>, are held and firmly bound unto W. F. HAWIE, 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 \_\_\_\_\_day of April, 1952.

The condition of the above obligation is such, that, whereas, the above-bound J. W. Weber has commenced suit in the Circuit Court of Baldwin County, Alabama, at law, by summons and complaint returnable to said court to recover of the said W. F. Hawie, the sum of ONE THOUSAND THREE HUNDRED AND 00/100 (\$1,300.00) and has, on the day of the date hereof, prayed that a Writ of Garnishment issue to WILLIAM J. O'CONNOR, AS CHIEF CLERK OF THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, to answer on oath whether at the time of the service of said Writ of Garnishment or at the time of making its answer, it has in its possession or under its control, any monies or effects belonging to the said Defendant W. F. Hawie and whether it is indebted to said Defendant, and said Plaintiff having made affidavit as required by law in such cases and by entering into this bond, has obtained the same, returnable to the Circuit Court of Baldwin County, Alabama.

Now, if the said Plaintiff shall prosecute the garnishment to effect, and pay the Defendant all such cost

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.

J. W. WEBER (SEAL)

I, William J. O'Connor, Clerk of the Circuit Court of Mobile County, Alabama, do hereby certify that if the foregoing oath and bond for garnishment signed by J.W. Weber and Al Kahn

was presented to me I would approve the same.

CLERK OF THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA.

approved 4-5-52 hercef-herces

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APR 5 1952 AUGE J. DUCK, CLEEK STATE OF ALABAMA)
COUNTY OF MOBILE)

Personally appeared before me, the undersigned authority in and for the State and County aforesaid,

J. W. WEBER, a credible person, who being sworn, deposeth and saith that W. F. HAWIE is indebted to J. W. WEBER in the sum of ONE THOUSAND THREE HUNDRED AND 00/100

(\$1,300.00) and that he has commenced suit by summons and complaint returnable to the Circuit Court of Baldwin County, Alabama, against the said W. F. HAWIE, and that he believes the process of garnishment against WILLIAM J. O'CONNOR, AS CHIEF CLERK OF THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, is necessary to obtain satisfaction of said claim, and that the said CIRCUIT COURT OF MOBILE COUNTY, ALABAMA has or is believed to have, in its possession or under its control, money or effects belonging to the Defendant.

J. W. WEBER (SEAL)

Sworn and subscribed to before me on this the \_\_\_\_\_ day of April 1952.

NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

My Commission Expires April 11, 1957

RECORDED

APŘ 5 1952

#### JACK W. SPRINKLE ATTORNEY AT LAW

617-621 FIRST NATIONAL BANK BUILDING
P. O. BOX 275
MOBILE, ALABAMA

April 16th 1952

Mrs. Alice Duck, Chief Clerk Baldwin County Circuit Court Bay Minette, Alabama

Re: Weber vs. Hawie, Case No. 1782

Dear Mrs. Duck:

I want to thank you for the splendid cooperation you have given my client in this above styled cause and to inform you that Mr. Whiting and I have this date entered into an agreement as to the money which my client has attached under said Writ of Garnishment out of your court directed to Mr. William J. O'Connor of the Mobile County Circuit Court, as garnishee. Our agreement is that, in consideration for my releasing said money, Mr. Whiting will turn over to me the balance of said money now in the hands of the Mobile County Circuit Court, minus the sum of \$76.00 as his attorney fee in the case of Hawie vs. Saad, Case No. 8870 of the Circuit Court of Mobile County and Mr. Whiting further agrees that he will give me his personal release as to any attorney's fee lien he may have against said judgement in the Hawie vs. Saad case.

Thanking you once again for your kind cooperation, I remain Very truly yours,

Jack W. Sprinkle

JWS/jp

cc: Mr. Almer Whiting
Attorney At Law
First National Bank Annex
Mobile, Alabama

PS: This release of garnishment does not mean that I am dropping this suit of Weber vs. Hawle now pending in your court. Good luck to you in your campaign for election.

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Filea 4-17-52 Sircefnench

#### CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

WILLIAM J. O'CONNOR, CLERK

MYRTLE M. TROTT DEPUTY CLERK CATHERINE L. EBERLEIN DEPUTY CLERK

MOBILE, ALABAMA

April 4,1952

Deer Mrs. Duck:

Here are the papers on Weber v. Hawie, which we discussed this morning over the telephone.

Thanks a million and I sincerely hope that you are elected.

fall fihl

1782 L. W. Weber 15 W. 7. Hawie

Garnishment Triled 4-5-52

#### COUNT ONE

The Plaintiff claims of the Defendant the sum of ONE THOUSAND THREE HUNDRED AND NO/100 (\$1,300.00) DOLLARS, due by promissory note made by the defendant on to-wit, the 2nd day of October, 1948, and payable on to-wit, the 2nd day of November, 1948, with interest thereon at the rate of eight per centum (8%) per annum.

The Plaintiff alleges that the Defendant waived all of his claims to personal property as exempted to him under the Constitution and laws of the State of Alabama, as set forth in said note.

The Plaintiff also alleges that by the the terms of said note the Defendant agreed in writing to pay all costs of collection and a reasonable attorney's fee.

JACK W. SPRINKLE

The Defendant may be served at the

"Fairhope Casino"

located at Fairhope, Ala.

Attorney for the Plaintiff.

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	Baldwin Times
THE STATE OF ALABAMA,	CIRCUIT COURT, BALDWIN COUNTY
BALDWIN COUNTY No	
	TERM, 19
TO ANY SHERIFF OF THE STATE OF ALABAMA:	
You Are Hereby Commanded to Summon W. F. Hawie	· · · · · · · · · · · · · · · · · · ·
	-
to appear and plead, answer or demur, within thirty days from the Circuit Court of Baldwin County, State of Alabama, at Ba	
W. F. Hawie	
J. W. Weber	, Defendant
	, Plaintiff
Vitness my hand this 5th day of Apri	19.52

No. ....17.82 Defendant lives at BALDWIN COUNTY RECEIVED IN OFFICE CIRCUIT COURT J. W. WEBER Lhave executed this summons Plaintiffs VS. by leaving a copy with W. F. HAWIE Defendants SUMMONS and COMPLAINT Filed 4-5-52 , 19 Much rench , Clerk Plaintiff's Attorney Defendant's Attorney Deputy Sheriff

#### JACK W. SPRINKLE ATTORNEY AT LAW

617-621 FIRST NATIONAL BANK BUILDING

P. O. BOX 275

MOBILE, ALABAMA

June 2nd 1952

Mrs. Alice Duck, Chief Clerk Baldwin County Bay Minette, Alabama

RE: WEBER vs. HAWIE,

Dear Mrs. Duck:

I would greatly appreciate it if you could tell when case no. 1782 is set and if we have had service on W.F. Hawie. In the event we have had service please let me know if I could come over with my client and take a judgement by default.

Thanks,

JWS/jj

STATE OF ALABAMA
COUNTY OF MOBILE

and ALIMEN BY THESE PRESENTS, that we, J. W. WEBER, and ALIMEN, are held and firmly bound unto W. F. HAWIE, 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 \_\_\_\_\_\_day of April, 1952.

The condition of the above obligation is such, that, whereas, the above-bound J. W. Weber has commenced suit in the Circuit Court of Baldwin County, Alabama, at law, by summons and complaint returnable to said court to recover of the said W. F. Hawle, the sum of ONE THOUSAND THREE HUNDRED AND 00/100 (\$1,300.00) and has, on the day of the date hereof, prayed that a Writ of Garnishment issue to WILLIAM J. O'CONNOR, AS CHIEF CLERK OF THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, to answer on oath whether at the time of the service of said Writ of Garnishment or at the time of making its answer, it has in its possession or under its control, any monies or effects belonging to the said Defendant W. F. Hawle and whether it is indebted to said Defendant, and said Plaintiff having made affidavit as required by law in such cases and by entering into this bond, has obtained the same, returnable to the Circuit Court of Baldwin County, Alabama.

Now, if the said Plaintiff shall prosecute the garnishment to effect, and pay the Defendant all such cost

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.

J. W. WEBER (SEAL)

Al Kalin (SEAL)

I, William J. O'Connor, Clerk of the Circuit Court of Mobile County, Alabama, do hereby certify that if the foregoing oath and bond for garnishment signed by J. W. Weber and Al Kahn was presented to me I would approve the same.

CLERK OF THE CIRCUIT COURT OF MORILE SOUNTY & LABAMA.

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#### CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

WILLIAM J. O'CONNOR, CLERK

MYRTLE M. TROTT DEPUTY OF ERK

CATHERINE L. EBERLEIN DEPUTY CLERK

MOBILE, ALABAMA November 17, 1952

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

In Re: Case No. 1782- J. W. Weber -vs- W. F. Hawie

Dear Mrs. Duck:-

You will see from your court records, that we were served with a Writ of Garnishment in the above entitled dause and that we advised you thereupon that this office held a certain sum of money here in the case of W. F. Hawie -versus-John Saad, etc. No. 8870 on our docket.

I am now in receipt of a letter from Mr. Jack Sprinkle, 617 First National Bank Building, Mobile, Alabama, who represents the plaintiff, J. W. Weber, in the above styled cause, together with a release for payment of the money still in our hands over to him direct. However, I have advised Mr. Sprinkle that under the law we are duty bound to pay this money over to you as Clerk of that court in the above entitled cause.

Originally we had \$217.28, out of which we deducted our court costs of \$18.75, paid the Attorney for Plaintiff under agreementfiled in said cause the sum of \$76.00, leaving a balance now in our hands of \$122.53, for which I am sending you a check herewith. Am also sending you letter of Mr. Sprinkle, together with the release signed by W. F. Hawie for payment of said money over to Jack W. Sprinkle, as Attorney for J. W. Weber.

After deducting any court costs due you in the above styled cause, you may pay the balance of same over to Mr. Jack W. Sprinkle, whose address is 617 First National Bank, Mobile, Alabama.

My very best regards and wishes to you always,

Sincerely your friend,

Clerk, Circuit Court, Mobile County, Ala.

JOHN E.MANDEVILLE.

#### JACK W. SPRINKLE

ATTORNEY AT LAW 617-621 FIRST NATIONAL BANK BUILDING P. O. BOX 275 MOBILE, ALABAMA

November 15th 1952

John Mandeville Chief Clerk Circuit Court Mobile, Alabama

J. W. WEBER vs W. F. HAWIE

Dear John:

Enclosed herewith, you will find a release from Mr. Hawie authorizing the Circuit Court of Mobile County, Alabama to pay over to J. W. Weber or his attorney, myself, any moneys which said Court may be holding. Some time ago, I filed a suit against Hawie for Mr. Weber in the Circuit Court of Baldwin County, being Case No. 1782, their docket. Then I filed a writ of garnishment in said cause on April 4, 1952 garnisheeing W. J. O'Conner as Chief Clerk of Circuit Court, Mobile County, Alabama. As you will note Hawie had recovered a judgment against John Saad in the sum of \$198.53 this was Case No. 8870, your docket.

As you will note this release is signed by Hawie and notarized by his attorney, Mr. Rickarby, of Fairhope.

With best regards, I remain,

Very truly yours,

Jack W. Asprinkle

W

/jes

Enc: Release papers

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J. W. WEBER	()	IN THE CIRCUIT COURT OF
<b>∀S</b>	()	BALLWIN COUNTY, ALABAMA
W. F. HAWIE	, <b>()</b>	AT LAW: NO. 1782

### PARTIAL RELEASE OF GARNISHMENT

4-17-52 By agreement with attorney, Honorable Jack Sprinkle, attorney in the above styled cause. I hereby release \$76.00 of said garnishment, Mr. William J. O'connor, as garnishee, to Honorable Almur Whiting.

Witness my hand and seal of this court this 17th day of April 1952.

Alice J. Duck Clerk Circuit Court guardiaeuromán preselvi salielia o paliti gyrappa apitus in triba. Caranti coppe ingé i la Se-Hille.

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STATE OF ALABAMA )
COUNTY OF BALDWIN )

For value received, I, the undersigned, W. F. HAWIE, do hereby authorize the Circuit Court of Mobile County, Alabama, to pay over to J. W. WEBER or his attorney, JACK W. SPRINKLE, any moneys which said Court may be holding or have under their control for my behalf and especially the sum of \$198.53, which I obtained from John E. Sadd as a result of a judgment in my favor, said judgment being obtained from the Circuit Court of Mobile County, Alabama. It is expressly understood and agreed that said sum of \$198.53 minus MR. ALMUR WHITING's lien against same for his attorney fee, shall be treated as a deduction against the debt I now owe J. W. WEBER and which case is now pending in the Circuit Court of Baldwin County, Alabama, the case number being 1782. This payment is paid without prejudice as to the balance of the claim of the said J. W. WEBER against W. F. HAWIE

Sworn and subscribed to before me on this the day of

1952

NOTARY PUBLIC, BAISMIN COUNTY ALABAMA

FILED NOV 21 1952

ALICE I. DUCK, Clock

STATE OF ALABAMA,	)					,	
BALDWIN COUNTY	<b>)</b>			:			
4							***
TO W. F. Hawie	••••	******************	***************************************	, De	fendant ::		- 21 th
						•	100
YOU ARE HEREI							
versus W. F. Hawi		, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	*******************		*********************	, Defend	ant,
now pending in the Circu						illiam J. O'C	
ha s been named as Gar.	nishee						
IN WITNESS WE	HEREOF,	I have hereu	nto set my	hand and affi	xed my seal o	n this the5	th
day of April		, 19452					
			k	licit.	luck		

Clerk of the Circuit Court.

Bush	id 5-10-52	No. 1782 NOTICERECORDE
Jan Jan	a cofog	TO DEFENDANT OF GARNISHMENT
		ВУ
14.	anil	CLERK OF CIRCUIT COURT
Taulo	Wilhin	BALDWIN COUNTY, ALABAMA
1 7 7 h	Wilking Shirth	то
		J. W. WEBER
		Plaintiff
		vs.
		W. F. HAWIE
	Yes the second s	
		Defendant
	And the second s	
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J. W. WEBER,

Plaintiff

-vs-

W. F. HAWIE,

Defendant

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA At Law

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

#### PLEAS

Comes the Defendant in the above styled cause and offers the following separate and several pleas:

OME: General issue.

TWO: The Defendant is not indebted as charged in

said Count.

Defendant

#### DEMAND FOR JURY TRIAL

Comes the Defendant in the above styled cause and demands trial by Jury;

Dofosion

1982 DECORDED

J. W. WERER,

Plaintiff

-VS-

W. F. HAWIE,

Defendan

Pleas
-andDemand for Jury Trial

FILED
JULE DUCK, Clark

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STATE OF ALABAMA COUNTY OF MOBILE

Personally appeared before me, the undersigned authority in and for the State and County aforesaid, J. W. WEBER, a credible person, who being sworn, deposeth and saith that W. F. HAWIE is indebted to J. W. WEBER in the sum of ONE THOUSAND THREE HUNDRED AND CO/100 (\$1,500.00) and that he has commenced suit by summons and complaint returnable to the Circuit Court of Baldwin County, Alabama, against the said W. F. HAWIE, and that he believes the process of garnishment against WILLIAM J. O'CONNOR, AS CHIEF CLERK OF THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, is necessary to obtain satisfaction of said claim, and that the said CIRCUIT COURT OF MOBILE COUNTY, ALABAMA has or is believed to have, in its possession or under its control, money or effects belonging to the Defendant.

2: Kr. weber (SEAL)

Sworn and subscribed to before me on this the  $4^{\infty}$  day of April 1952.

NOWARY PUBLIC MODILE COUNTY, ALABAMA

My Commission Expires (fil 1/1954

(AMAGAIA TO STATE (BLIEDE TO STRUCE)

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