

FILED

89957/2

APR 2 1970

ALICE J. DUCK
CLERK
REGISTER

Reply Ala.
March 31, 1970

Now therefore you the said
George Wesley Smith Jr. are hereby
required within 30 days from the
service hereof to file in this Court
a statement in writing under oath of
all your assets including money,
chases in action, notes, bonds and
accounts, and all other property,
real personal, or mixed, or any in-
terest therein with a detailed
description of the same, the
location and reasonable value of
each item thereof, together with a
detailed list of statements of any
and all liens mortgages or
encumbrances thereon. I here by
do not own any property or money bonds
or any things

Witness my hand this the Day 31. March
1970 Dason Smith

George Wesley Smith Jr

128 C

1/10/78

4-9668

STATE OF ALABAMA
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19.....

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular..... Term, 19....., of the Circuit Court of Baldwin County, to-wit: On the 8th day of January, 1970, being a regular day of said term, Burton H. Silverstein, d/b/a AAA Assignment Service

recovered judgment against George Wesley Smith, Jr.

ONE THOUSAND ONE HUNDRED TWELVE and 55/100 of which for the sum of \$10.00 has been paid -- \$1,102.55 is due Dollars, and cost of suit, and affidavit having been made by Phyllis S. Nesbit

that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:

Martin Builders, Inc.
1340 Sledge Drive, Mobile, Alabama

has or is believed to have in its possession, or under its control money or effects belonging to said defendant Smith or that it is, or is believed to be indebted to said defendant or to be liable to them, 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 Martin Builders, Inc.

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 Monday in A. D. 1970, then and there within the three first days of the Monday in A. D. 1970

the service of the garnishment, or at the making its answer, or at any time intervening the time of serving the garnishment, and making the answer it was indebted to said defendant and whether it will not be indebted in future to said defendant by a contract then existing, and whether by a contract then existing it is, or are, liable to said defendant's 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 it has not in its possession or under its control money or effects belonging to the defendant George Wesley Smith, Jr.

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

Witness, ALICE J. DUCK, Clerk of said Court, this 12 day of Feb, A. D., 1970
Issued 12 day of Feb A. D., 1970

ATTEST:
Alice J. Duck, Clerk.

Ex 2-17-70

Received 12 day of January 1970
and on 17 day of Feb 1970
I served a copy of the within writ
on Truman Building, Inc.
By Mrs. Aaron Offinger
Byrd's Sheriff
W.C. Buckley Sheriff
D.S.

REC'D CLERK DEPT.
FEB 13 10 26 AM '70
BY

W.C. Buckley 7987
CIRCUIT COURT, BALDWIN COUNTY
No. 8995 1/2

Burton H. Silverstein
VS. } GARNISHMENT ON JUDGMENT

George Wesley Smith

Issued _____ day of _____ 19____

Returnable _____ day of _____ 19____

Mrs. Aaron Offinger

mealy
Attorney

002-50 27

STATE OF ALABAMA

Baldwin County

TO GEORGE WESLEY SMITH, JR., Defendant.....:

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

Burton H. Silverstein, d/b/a AAA Assignment Service, Plaintiff.....

versus George Wesley Smith, Jr., Defendant.....

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

Martin Builders, Inc. 1340 Sledge Dr. Mobile, Alabama

has.. been named as Garnishee.....

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

14 day of Feb, 1970...

Wesley Smith
Clerk of the Circuit Court.

M.F.

STATE OF ALABAMA

Baldwin County

TO GEORGE WESLEY SMITH, JR., Defendant:

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

Burton H. Silverstein, d/b/a AAA Assignment Service, Plaintiff, versus George Wesley Smith, Jr., Defendant.

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which Martin Builders, Inc. 1340 Sledge Dr. Mobile, Alabama

has been named as Garnishee.

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

12 day of Feb, 1979.

Handwritten signature of Alice J. Duck, Clerk of the Circuit Court.

Handwritten initials 'S, F.'

no. 8995 1/2

RETURNED 2-19-70

Not found in my County after diligent search and inquiry.

RAY D. BRIDGES, Sheriff

By H. Bushley D.B.

Received 12 day of January 19 70
and on _____ day of _____ 19____
I served a copy of the within DEED
on George Wesley Smith, Jr.
By service on _____

TAYLOR WILKINS, Sheriff
By _____ D.S.

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

Burton H. Silverstein

Plaintiff....

VS.

George Wesley Smith, Jr.

Defendant....

msb

8995/12

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State aforesaid Phyllis S. Nesbit, attorney for Burton H. Silverstein, d/b/a

AAA Assignment Service Term who being duly sworn, on oath says, that a regular

of the Circuit Court of Baldwin County, to-wit: on the 8th day of January

19 70, Burton H. Silverstein, d/b/a AAA Assignment Service

recovered a judgment against George Wesley Smith, Jr.

ONE THOUSAND ONE HUNDRED TWELVE and 55/100 of which for the sum of

\$10.00 has been paid - leaving a balance of \$1,102.55 Dollars

besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

Martin Builders, Inc, 1340 Sludge Dr, Mobile, Alabama

supposed to be indebted to or have effects of the said George Wesley Smith

in its possession, or under its control, and that he believes process of

Garnishment against said Martin Builders, Inc.

is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 12

day of Feb A. D. 19 70

Alice J. Duck

Clerk.

NO. _____

CIRCUIT COURT

vs.

**AFFIDAVIT
Garnishment on Judgment**

Filed this _____ day of
_____, 19____

Clerk.

Burton H. Silverstein
d/b/a AAA Assignment Service

Plaintiff

VS.

George Wesley Smith, Jr.

Defendant

MARTIN BUILDERS, INC., a corporation
Garnishee

IN THE CIRCUIT COURT
Baldwin
OF MOBILE COUNTY, ALABAMA

CASE NO. 8995 1/2

Comes now MARTIN BUILDERS, INC., a corporation, the Garnishee in the above styled cause, and acknowledging receipt of the notice of garnishment which was served upon an agent of garnishee on the 17th day of February, 1970, files herewith its answer to the writ of garnishment, saying under oath that MARTIN BUILDERS, INC., the garnishee, is NOT indebted to George Wesley Smith, Jr. the defendant, and was so indebted at the time of the service of the writ of garnishment under a contract then existing, but that the garnishee does NOT have in its possession or under its control any other property of any kind or description belonging to the defendant; that the defendant is NOT an employee of the garnishee and the indebtedness of the garnishee to the defendant is wages, salary or other earnings; that the amount of said indebtedness at the time of the service of said writ of garnishment, and at the time of filing this answer is the sum of \$ None.

And Garnishee says further that defendant is NOT an employee of the garnishee within the meaning of the garnishment laws of this State, that the garnishee is withholding twenty-five (25%) percent of the gross earnings of said defendant, and will continue to withhold the same percentage of all earnings of the defendant until the defendant terminates his contract of employment, or a sum sufficient to satisfy this indebtedness has been accumulated in the hands of the garnishee; that said withholdings will be retained by the garnishee subject to the further orders of this Court, releasing said sums or directing the payment of them to some designated party or the clerk of this Court.

And, having made full answer under oath to the writ of garnishment served upon it, garnishee respectfully prays the Court to discharge it with its reasonable costs in this behalf expended.

MARTIN BUILDERS, INC., a corporation, Garnishee

BY: Joseph C. Martin
AS ITS President

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Margaret H. Aaron, a Notary Public in and for said State and County, hereby certify that Joseph C. Martin, whose name as President of Martin Builders, Inc., a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date. WITNESS my hand and official seal, this the 19 day of February, 1970.

Margaret H. Aaron
NOTARY PUBLIC

My Commission Expires September 12, 1970

Burton H. Silverstein
d/b/a AAA Assignment Service
Plaintiff
VS.
George Wesley Smith, Jr.
Defendant

IN THE CIRCUIT COURT
Baldwin
OF ~~MOBILE~~ COUNTY, ALABAMA

MARTIN BUILDERS, INC., a corporation
Garnishee

CASE NO. 8995 1/2

Comes now MARTIN BUILDERS, INC., a corporation, the Garnishee in the above styled cause, and acknowledging receipt of the notice of garnishment which was served upon an agent of garnishee on the 17th day of February, 1970, files herewith its answer to the writ of garnishment, saying under oath that MARTIN BUILDERS, INC., the garnishee, is NOT indebted to George Wesley Smith, Jr., the defendant, and was so indebted at the time of the service of the writ of garnishment under a contract then existing, but that the garnishee does NOT have in its possession or under its control any other property of any kind or description belonging to the defendant; that the defendant is NOT an employee of the garnishee and the indebtedness of the garnishee to the defendant is wages, salary or other earnings; that the amount of said indebtedness at the time of the service of said writ of garnishment, and at the time of filing this answer is the sum of \$ None.

And Garnishee says further that defendant is NOT an employee of the garnishee within the meaning of the garnishment laws of this State, that the garnishee is withholding twenty-five (25%) percent of the gross earnings of said defendant, and will continue to withhold the same percentage of all earnings of the defendant until the defendant terminates his contract of employment, or a sum sufficient to satisfy this indebtedness has been accumulated in the hands of the garnishee; that said withholdings will be retained by the garnishee subject to the further orders of this Court, releasing said sums or directing the payment of them to some designated party or the clerk of this Court.

And, having made full answer under oath to the writ of garnishment served upon it, garnishee respectfully prays the Court to discharge it with its reasonable costs in this behalf expended.

MARTIN BUILDERS, INC., a corporation, Garnishee

BY: Joseph C. Martin
AS ITS President

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Margaret H. Aaron, a Notary Public in and for said State and County, hereby certify that Joseph C. Martin, whose name as President of Martin Builders, Inc., a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.
WITNESS my hand and official seal, this the 19 day of February, 1970.

Margaret H. Aaron
NOTARY PUBLIC

My Commission Expires September 12, 1970

PAID

FEB 23 1970

CLERK REGISTER

WILLIAM J. BROWN