

SAM BRUMFIELD,	)	IN THE CIRCUIT COURT OF
	)	
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
	)	
vs.	)	
	)	
WILLIAM H. WATERS,	)	
	)	
Defendant,	)	
LINDEN CONSTRUCTION COMPANY,	)	
	)	
Garnishee.	)	CASE NO. 9253

Comes Linden Construction Company as Garnishee in the above styled cause and shows that its failure to promptly answer Writ of Garnishment was through mistake and error and not for the purpose of hindering the Plaintiff. In answer to said Writ, the said Linden Construction Company shows that William H. Waters, the Defendant, was employed by said Company at the time of the service of process of garnishment in this cause; that the Garnishee was not indebted to the Defendant in any sum except for weekly pay; that said Defendant is still in the employ of the said Linden Construction Company; that the Defendant's gross pay before deductions is \$165.00 per week and that his net pay after deductions is approximately \$130.00 per week; that the said Garnishee is not liable to the said Defendant under any contract or arrangement of any kind or nature for the payment of any sum of money except for wages earned while employed, nor is said Garnishee liable to Defendant for delivery of any personal property or any amount payable for personal property, nor does said Garnishee have in its possession or under its control any money or effects belonging to the Defendant on the date of service of the Writ of Garnishment or at any time subsequent to that date. Garnishee further shows that on due notification of the amount which it has been required to withhold, that payment will be made into Court.

LINDEN CONSTRUCTION COMPANY

BY *William H. Waters*

Sworn to and subscribed before me

this the 21 day of November 1970.

*W. H. Waters*  
Notary Public, Baldwin County  
State of Alabama

**FILED**

NOV 23 1970

**ALICE J. DUCK** CLERK  
REGISTER

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon WILLIAM H. WATERS to appear within thirty (30) 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 SAM BRUMFIELD.

WITNESS my hand this 13 day of May, 1970.

*Alice A. Duck*  
Clerk

\* \* \* \* \*

COMPLAINT

SAM BRUMFIELD,	)	
	)	IN THE CIRCUIT COURT OF
Plaintiff	)	BALDWIN COUNTY, ALABAMA
-vs-	)	
	)	AT LAW
WILLIAM H. WATERS,	)	
	)	CASE NO. _____
Defendant.	)	

COUNT I

Plaintiff claims of the Defendant the sum of TEN THOUSAND, SEVEN HUNDRED FIFTY and 72/100 DOLLARS (\$10,750.72) due by Promissory Note, made by him on the 31st day of August, 1968, and payable in installments as follows, viz: SEVEN HUNDRED FIFTY DOLLARS (\$750.00) on the 1st day of March and the 31st day of August of each year to be applied first to interest and remainder to principal until the full principal sum of TEN THOUSAND, SEVEN HUNDRED FIFTY and 72/100 DOLLARS (\$10,750.72) and all interest thereon has been paid, with interest thereon at the rate of six per cent (6%) per annum, from June 1, 1969.

The Plaintiff further avers that in and by the terms of said note, the Defendant waives all right of exemption under the constitutional laws of Alabama, or any other state as to personal property, as to which waive the Plaintiff now claims the benefit.

Plaintiff further avers that in and by the terms of said

note, the Defendant agreed to pay all cost of collection or securing or attempt to collect or secure said note including a reasonable Attorney's fee and the Plaintiff further claims of the Defendant the further and additional sum of ONE THOUSAND, SEVEN HUNDRED FIFTY DOLLARS (\$1,750.00) as such reasonable attorney's fee.

  
Attorney for Plaintiff

Defendant's Address:

Robertsdale, Alabama

**FILED**

MAY 13 1970

**ALICE J. DUCK** CLERK  
REGISTER

Received 13 day of May 1970  
and on 30 day of May 1970  
I served a copy of the within on William H. Waters  
By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By H. J. Brown  
50 miles R. T.  
R. Dale

Sheriff claims \_\_\_\_\_ miles at \_\_\_\_\_  
Ten Cents per mile Total \$ 5.00  
TAYLOR WILKINS, Sheriff  
By H. J. Brown  
DEPUTY SHERIFF

720. 9253  
SAM BRUMFIELD,

Plaintiff

-vs-

WILLIAM H. WATERS,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

FILED

MAY 13 1970

ALICE J. DUCK CLERK  
REGISTER

CECIL G. CHASON

Attorney at Law

P. O. DRAWER 458  
216 W. LAUREL AVENUE  
FOLEY, ALABAMA 36535