

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 .....29th..... day of .....July....., 19.70, being a regular day of said term, .....Malone Construction, Inc.....

recovered judgment against .....John Taber.....

for the sum of Two Hundred Thirty-seven and 88/100 ..... Dollars, and cost of suit, and affidavit having been made by .....Michael J. Salmon, Attorney for Plaintiff..... that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:

.....First National Bank of Greenville, Alabama.....

has or is believed to have in .....its..... possession, or under .....its..... control money or effects belonging to said defendant John Taber..... 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 First National Bank of Greenville, Alabama.....

to file an answer in duplicate to the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minette, within 30 days from .....

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 John Taber..... and whether .....it..... will not be indebted in future to said defendant John Taber..... by a contract then existing, and whether by a contract then existing .....it..... is, or are, liable to said defendants 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 John Taber.....

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

Witness, ALICE J. DUCK, Clerk of said Court, this.....11th..... day of August....., A. D., 19.70.....

Issued .....11th..... day of August..... A. D., 19.70.....

ATTEST:

.....Alice J. Duck..... Clerk.

RECEIVED

AUG 11 1970

TAYLOR  
SHERIFF

*Executed by Sheriff  
Copy on Charles Thompson  
of First National Bank  
This 8-12-70*

*H. W. Stanford*

CIRCUIT COURT, BALDWIN COUNTY

No. 9321 *1/2*

MALONE CONSTRUCTION, INC.

VS. }

GARNISHMENT ON JUDGMENT

JOHN TABER

First National Bank of Greenville, Ala.

Issued 11th day of Aug. 1970

Returnable \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Michael J. Salmon

Attorney

Moore Printing Company, Bay Minette, Alabama

AFFIDAVIT FOR GARNISHMENT  
ON JUDGMENT

9321 1/2

EC LAW 12-2M-9 67

THE STATE OF ALABAMA }  
MOBILE COUNTY  
BALDWIN

CIRCUIT COURT

the undersigned Notary Public for the State of  
Personally appeared before me, ~~XXXXXX~~ MICHAEL J. SALMON  
Alabama at Large  
~~and State of Alabama~~

who being duly sworn, on oath says, that on the 29th day of July, 1970  
in the Circuit Court of Baldwin County, in Case No. 9321 The Plaintiff MALONE  
CONSTRUCTION, INC.

recovered a judgment against JOHN TABER

the Defendant, whose address

is Post Office Box 467, Greenville, Alabama 36037

for the sum of TWO HUNDRED THIRTY-SEVEN AND 88/100 (\$237.88)

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

that FIRST NATIONAL BANK OF GREENVILLE, ALABAMA

whose address is Greenville, Alabama

is supposed to be indebted to or have effects of the said JOHN TABER

in its possession or under its

control, and that he believes process of Garnishment against the said First National Bank  
of Greenville, Alabama

is necessary to obtain satisfaction of said Judgment.

MICHAEL J. SALMON  
Attorney for Plaintiff

Sworn to and subscribed this 10th

day of August A.D., 1970

NOTARY PUBLIC, STATE OF  
ALABAMA AT LARGE

FILED

AUG 11 1970

No. 9321

**CIRCUIT COURT**

MALONE CONSTRUCTION, INC.

vs.

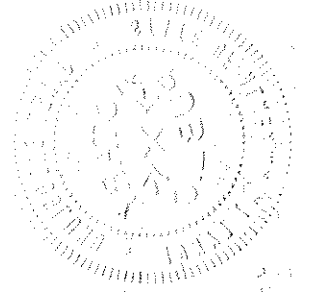
JOHN TABER

**AFFIDAVIT FOR GARNISHMENT  
ON JUDGMENT**

Filed in Office,

19.

Clerk.



STATE OF ALABAMA

Baldwin County

TO John Taber, Defendant.....:

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

MALONE CONSTRUCTION, INC., Plaintiff.....

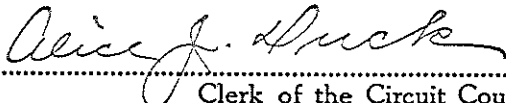
versus JOHN TABER, Defendant.....

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which FIRST NATIONAL  
BANK OF GREENVILLE, ALABAMA

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

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

11th day of August, 1970

  
Clerk of the Circuit Court.

RECEIVED

AUG 11 1970

TAYLOR WILKINS  
SHERIFF

CASE NO. 9321 1/2

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

JOHN TABER

MALONE CONSTRUCTION, INC.

Plaintiff....

VS.

JOHN TABER

Defendant....

Michael J. Salmon

MICHAEL J. SALMON  
LAWYER  
SUITE 324  
INTERNATIONAL TRADE CENTER  
250 N. WATER STREET  
MOBILE, ALABAMA 36602  
433-5595

July 28, 1970

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

Re: Malone Construction, Inc. vs.  
John Taber, Number 9321 At Law

Dear Mrs. Duck:

I enclose a motion for judgment by default against the defendant for failure to answer and a non-military affidavit. The action is on itemized, verified statement of account, and, if it is permissible under your practice, I would appreciate having judgment entered in the amount of the claim.

If this is not your practice, I will tend to it personally the next time I am over in your court.

Very sincerely yours,

  
MICHAEL J. SALMON

jes

MICHAEL J. SALMON  
LAWYER  
SUITE 324  
INTERNATIONAL TRADE CENTER  
250 N. WATER STREET  
MOBILE, ALABAMA 36602  
433-5595

June 9, 1970

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

Re: Malone Construction, Inc. vs. 9321  
John Taber

Dear Mrs. Duck:

Please file the enclosed bill of complaint in the  
above-styled cause.

Very sincerely yours,

*Michael J. Salmon*  
(Jes)

MICHAEL J. SALMON

Jes

Enclosure



MALONE CONSTRUCTION, INC.  
a corporation  
Complainant.

VS.

JOHN TABER  
Defendant.

IN THE CIRCUIT COURT  
 OF  
 BALDWIN  
~~MOBILE~~ COUNTY, ALABAMA.  
 NO. 9321

**NON-MILITARY AFFIDAVIT**

STATE OF ALABAMA }  
 COUNTY OF MOBILE }

NOW comes, Michael J. Salmon

who being first duly sworn, deposes and says that the defendant herein, John Taber

was not at the time of the filing of this suit, and is not now in the Military or Naval Service of the United States.

The Defendant resides at Greenville, Alabama

MICHAEL J. SALMON

Sworn to and subscribed before me,

this 28th day of July

196 70

NOTARY PUBLIC, ~~MOBILE COUNTY, ALA.~~  
 STATE OF ALABAMA AT LARGE  
 FILED

REGISTER

**FILED**

JUL 29 1970

**ALICE J. DUCK** CLERK  
 REGISTER

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

vs.

## NON-MILITARY AFFIDAVIT

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, Baldwin County

No. ....

.....TERM. 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon John Taber

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint  
filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette against.....

John Taber ..... Defendant.....

by Malone Construction, Inc., a corp.

..... Plaintiff.....

Witness my hand this 10th day of June 19 70

Alice J. Week Clerk

246-11-70

No. 9321

Page.....

**THE STATE OF ALABAMA**  
**BALDWIN COUNTY**

**CIRCUIT COURT**

**MALONE CONSTRUCTION INC.**

Plaintiffs

vs.

**JOHN TABER**

Defendants

**SUMMONS AND COMPLAINT**

Filed June 10, 1970

Alice J. Duck Clerk

Michael J. Salmon

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

June 10 1970

Taylor Hiltix Sheriff

I have executed this summons

this 6-11-1970

by leaving a copy with

John Taber

H. N. Stimpert Sheriff

Deputy Sheriff

STATE OF ALABAMA  
COUNTY OF BALDWIN

Before me, the undersigned Notary Public in and for said State and County, personally appeared W. C. MALONE, known to me, who, being by me duly sworn, deposes and says that he is President of Malone Construction, Inc., a corporation, and has knowledge of the account hereinbelow set out and that JOHN TABER is indebted to Malone Construction, Inc., by account for the following:

Labor and material		
House repair	August 27, 1969	\$201.50
Labor and material		
Pump work	September 10, 1969	\$ 24.00
		<hr/>
	TOTAL	\$225.50

for which no payment has been received and which account is still due and owing.

W. C. Malone  
W. C. MALONE

Subscribed and sworn to  
before me this 9 day  
of June, 1970.

John E. McRae  
NOTARY PUBLIC, STATE OF ALABAMA AT LARGE

My Commission Expires

Sept 16 1972

. VOL

64 PAGE 793

MALONE CONSTRUCTION, INC. : IN THE CIRCUIT COURT OF  
a corporation,  
Plaintiff, : BALDWIN COUNTY, ALABAMA  
vs. : AT LAW  
JOHN TABER, :  
Defendant. : CASE NUMBER 9321

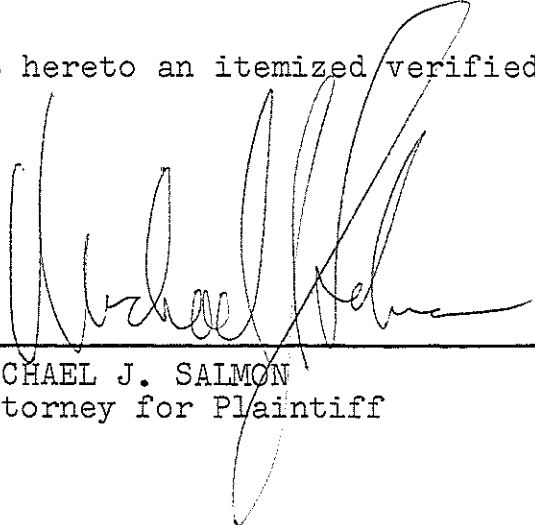
COUNT ONE

The Plaintiff claims of the Defendant TWO HUNDRED TWENTY-FIVE AND FIFTY/HUNDREDTHS DOLLARS (\$225.50) due from him for work and labor done in August and September, 1969, which sum of money, with the interest thereon, is still due and unpaid.

COUNT TWO

The Plaintiff claims of the Defendant TWO HUNDRED TWENTY-FIVE AND FIFTY/HUNDREDTHS DOLLARS (\$225.50) due from him by account for labor and material furnished in August and September, 1969, which sum of money, with the interest thereon, is still due and unpaid.

The Plaintiff attaches hereto an itemized verified statement of account.

  
MICHAEL J. SALMON  
Attorney for Plaintiff

Defendant's address:  
Post Office Box 467  
Capps Building  
Greenville, Alabama 36037

FILED

JUN 10 1970

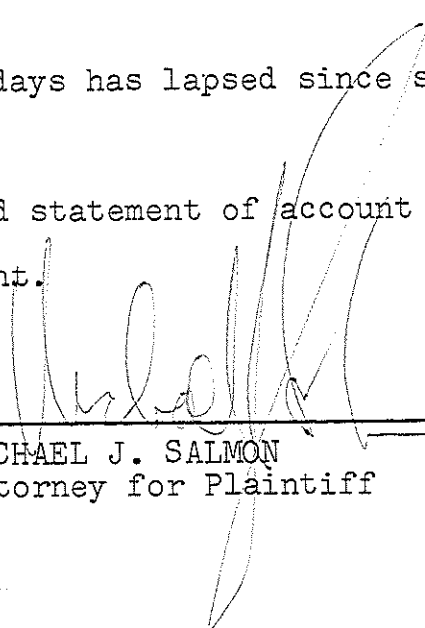
ALICE J. BUCK CLERK  
REGISTER

MALONE CONSTRUCTION, INC.	:	IN THE CIRCUIT COURT OF
a corporation,	:	BALDWIN COUNTY, ALABAMA
Plaintiff,	:	AT LAW
-VS-	:	
JOHN TABER,	:	
Defendant.	:	CASE NUMBER <u>9321</u>

MOTION FOR JUDGMENT BY DEFAULT

Comes now the Plaintiff in the above-styled cause and moves the Court to enter a default judgment against the Defendant upon writ of inquiry, and assigns the following grounds:

1. Summons and complaint were personally served upon the Defendant on the 11th day of June, 1970.
2. The Defendant has failed to appear, demur, plead, or answer the said summons and complaint and has wholly defaulted.
3. More than thirty days has lapsed since said service.
4. Itemized, verified statement of account was attached to the bill of complaint.

  
 \_\_\_\_\_  
 MICHAEL J. SALMON  
 Attorney for Plaintiff

AMOUNT OF ACCOUNT	\$225.50
INTEREST	\$ 12.38
TOTAL JUDGMENT	<u>\$237.88</u>

**FILED**

JUL 29 1970

ALICE J. DUCK CLERK  
REGISTER

9321 1/2  
Case No.

MICHAEL J. SALMON  
LAWYER  
SUITE 324  
INTERNATIONAL TRADE CENTER  
250 N. WATER STREET  
MOBILE, ALABAMA 36602  
433-5595

September 22, 1970

First National Bank  
Greenville,  
Alabama

Re: Malone Construction, Inc. vs.  
John Taber, Case Number 9321  
Circuit Court of Baldwin County,  
Alabama

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Gentlemen:

On behalf of the plaintiff judgment-creditor in the above, we filed a garnishment against your Bank in early August. The Clerk of the Circuit Court of Baldwin County in Bay Minette has advised that on August 19 you remitted the amount of the judgment, \$237.88, but failed to remit the court costs which are some \$25. The garnishment called for you to deduct and remit the amount of the judgment and the court costs.

The Clerk of the Court advised that she sent you a cost bill and asked that you remit this amount and that this has not been done. Would you kindly do so forthwith so that we can close this matter, and I can avoid taking any judgment for the difference against the Bank, as garnishee.

Simply send the amount as set forth on the cost bill to the Clerk and this will end the matter.

Very sincerely yours,

MICHAEL J. SALMON

jes