

for minutes

FEIBELMAN & SILVER  
ATTORNEYS AT LAW  
2103 FIRST NATIONAL BANK BUILDING  
MOBILE, ALABAMA 36601

HERBERT P. FEIBELMAN, JR.  
IRVING SILVER

P. O. BOX 2082  
TELEPHONE 205 433-1597

January 12, 1972

Mrs. Eunice B. Blackmon, Clerk  
Circuit Court of Baldwin County  
Baldwin County Courthouse  
Bay Minette, Alabama 36507

Re: Bellas Hess Superstore, Inc.  
Vs: Helen Willett, etc.  
Case No. 9826-1/2  
Garnishee: Elizabeth's House of Gifts

Dear Mrs. Blackmon:

I should appreciate your having the ni si in the above case vacated and discharging the garnishee. I should also appreciate it if you would be kind enough to send the cost bill to Mr. James R. Owen, the attorney for Mrs. Willett.

Thanking you, I am

Very sincerely yours,

  
Herbert P. Feibelman, Jr.

hpf/srr

cc: Mr. James R. Owen

**AFFIDAVIT FOR GARNISHMENT  
ON JUDGMENT**

9826 1/2

**THE STATE OF ALABAMA**~~MOBILE~~ COUNTY

Baldwin

**CIRCUIT COURT**

Notary Public, State of Alabama at Large

Personally appeared before me, ~~John E. Mandeville, Clerk of the Circuit Court and for Mobile County~~  
and State aforesaid ..... Irvin Grodsky .....

who being duly sworn, on oath says, that on the 15th ..... day of September ..... 19 71  
Circuit Court of Baldwin  
in the ~~Circuit Court of Mobile County~~, in Case No. 9826 ..... The Plaintiff

Bellas Hess Superstore, Inc. of Mobile, a corporation

recovered a judgment against Helen Willett, also known as Mrs. Eugene P. Willett

..... the Defendant, whose address  
is c/o Elizabeth's House of Gifts, Daphne, Alabama

for the sum of Three Hundred Seventy-Four and NO/100 (\$374.00)

Dollars, besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect;  
that Elizabeth's House of Gifts

whose address is Daphne, Alabama

is supposed to be indebted to or have effects of the said Helen Willett, a/k/a Mrs. Eugene P. Willett

in its ..... possession or under its

control, and that he believes process of Garnishment against the said

Elizabeth's House of Gifts

is necessary to obtain satisfaction of said Judgment.

*Irvin Grodsky*  
IRVIN GRODSKY

Sworn to and subscribed this 21st  
day of September ..... A.D., 19 71

Notary Public, State of Alabama at ~~XXXXX~~  
Large

FILED

SEP 23 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19.....

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular.....September Term, 1971....., of the Circuit Court of Baldwin County, to-wit: On the .....16th..... day of .....September....., 1971....., being a regular day of said term, .....Bellas Hess Superstore, Inc., of Mobile, a corporation.....

recovered judgment against .....Helen Willett, a/k/a Mrs. Eugene P. Willett.....

for the sum of .....Three Hundred Seventy-four and no/100 - - -..... Dollars, and cost of suit, and affidavit having been made by .....Irvin Grodsky..... that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:

.....Elizabeth's House of Gifts, Daphne, Alabama.....

has or is believed to have in .....its..... possession, or under .....its..... control money or effects belonging to said defendant .....Mrs. Eugene P. Willett..... 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, 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 .....Elizabeth's House of Gifts.....  
.....Daphne, 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 .....it..... answer, or at any time intervening the time of serving the garnishment, and making the answer .....it..... was ..... indebted to said defendant Helen Willett, a/k/a Mrs. Eugene P. Willett 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 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, Helen Willett, a/k/a Mrs. Eugene P. Willett

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

Witness, ..... Eunice B. Blackmon, Clerk of said Court, this.....23rd..... day of .....September..... A. D., 1971.....

Issued .....23rd..... day of .....September..... A. D., 1971.....

ATTEST:

.....Eunice B. Blackmon..... Clerk

Sheriff claims 54 m. 20  
Ten Cents per mile Total \$ 5.40  
TAYLOR WILKINS Sheriff  
BY [Signature]

Received \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
sent on 26 day of Sept 1971  
I enclosed a copy of the within writ  
on Elizabeth's House of Gifts  
By service on Elizabeth's House of Gifts  
TAYLOR WILKINS Sheriff  
By [Signature] D. 5.

SEP 24 1971  
TAYLOR WILKINS  
SHERIFF

Case No. 9826½

CIRCUIT COURT, BALDWIN COUNTY

No. 9826½

BELLAS HESS SUPERSTORE, INC., OF MOBILE,  
of corporation

VS. } GARNISHMENT ON JUDGMENT

HELEN WILLETT, a/k/a MRS. EUGENE P. WILLETT

Elizabeth's House of Gifts  
Daphne, Ala., Garnishee

Issued 23rd day of Sept. 1971

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

Irvin Grodsky  
c/p Feibelman & Silver  
P. O. Box 2082  
Mobile, Ala. Attorney

## STATE OF ALABAMA

Baldwin County

TO HELEN WILLETT, a/k/a MRS. EUGENE P. WILLETT  
....., Defendant.....:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..  
BELLAS HESS SUPERSTORE, INC., OF MOBILE, A CORP. Plaintiff.....  
versus HELEN WILLETT, a/k/a MRS. EUGENE P. WILLETT Defendant.....

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which .....  
Elizabeth's House of Gifts, Daphne, Ala......

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the .....  
23rd day of September, 1971

Erinice B. Blackburn  
Clerk of the Circuit Court.

BELLAS HESS SUPERSTORE, INC. OF  
MOBILE, a corporation,

Plaintiff

vs.

HELEN WILLETT, also known as  
MRS. EUGENE P. WILLETT,

Defendant

ELIZABETH'S HOUSE OF GIFTS,

Garnishee

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
CIVIL DIVISION

CASE NO. 9826-1/2

MOTION FOR JUDGMENT NI SI

Comes now Plaintiff in the above captioned matter and represents and shows  
unto this Honorable Court as follows:

1. That it heretofore filed a garnishment above numbered against Elizabeth's  
House of Gifts, Garnishee, in the amount of THREE HUNDRED SEVENTY-FOUR AND  
NO/100 (\$374.00) DOLLARS plus cost of court in an effort to satisfy the judgment of  
this Honorable Court previously rendered.

2. That such garnishment was duly served both upon the Defendant and  
the Garnishee and that more than thirty (30) days has expired without any answer  
thereto having been filed by said Garnishee or any contest thereto having been filed  
by the Defendant, contrary to the laws of the State of Alabama.

WHEREFORE, the premises considered, Plaintiff respectfully prays that  
a judgment ni si in the amount of THREE HUNDRED SEVENTY-FOUR AND NO/100  
(\$374.00) DOLLARS plus cost of court be entered against the Garnishee, Elizabeth's  
House of Gifts; and Plaintiff prays for such other, further and different relief as to  
Your Honor may seem meet and proper, the premises considered.

  
HERBERT P. FEIBELMAN, JR.  
Attorney for Plaintiff

**FILED**

DEC 3 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

BELLAS HESS SUPERSTORE, INC. OF  
MOBILE, a corporation,

Plaintiff

vs.

HELEN WILLETT, also known as  
MRS. EUGENE P. WILLETT,

Defendant

vs.

ELIZABETH'S HOUSE OF GIFTS,

Garnishee

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CIVIL DIVISION

CASE NO. 9826-1/2

ORDER GRANTING JUDGMENT NI SI

This matter having come on for a hearing on the 15<sup>th</sup> day of December, 1971  
before Telfair J. Mashburn, Judge of the Circuit Court of Baldwin County, Alabama on  
the motion of the Plaintiff for a judgement ni si against the Garnishee, Elizabeth's  
House of Gifts; and no notice of said motion being necessary; and

It appearing that the allegations of the Plaintiff's motion are true and correct and  
that the relief therein prayed for should be granted;

It is, therefore, ORDERED, ADJUDGED and DECREED that the Plaintiff,  
Bellas Hess Superstore, Inc. of Mobile have and recover a conditional judgment against  
the Garnishee, Elizabeth's House of Gifts, for failure to answer the garnishment in the  
above entitled matter within the time allowed by law, such conditional judgment being in  
the amount of THREE HUNDRED SEVENTY-FOUR AND NO/100 (\$374.00) DOLLARS plus  
costs of court in the amount of

Dated, this the 15<sup>th</sup> day of December, 1971.

Telfair J. Mashburn  
CIRCUIT JUDGE

BELLAS HESS SUPERSTORE, INC. OF	§	IN THE CIRCUIT COURT OF
MOBILE, a corporation,		
	§	BALDWIN COUNTY, ALABAMA
Plaintiff		
	§	CIVIL DIVISION
vs.		
	§	
HELEN WILLETT, also known as		
MRS. EUGENE P. WILLETT,	§	
Defendant	§	
ELIZABETH'S HOUSE OF GIFTS,	§	
Garnishee	§	CASE NO. 9826-1/2

MOTION FOR JUDGMENT NI SI

Comes now Plaintiff in the above captioned matter and represents and shows unto this Honorable Court as follows:

1. That it heretofore filed a garnishment above numbered against Elizabeth's House of Gifts, Garnishee, in the amount of THREE HUNDRED SEVENTY-FOUR AND NO/100 (\$374.00) DOLLARS plus cost of court in an effort to satisfy the judgment of this Honorable Court previously rendered.

2. That such garnishment was duly served both upon the Defendant and the Garnishee and that more than thirty (30) days has expired without any answer thereto having been filed by said Garnishee or any contest thereto having been filed by the Defendant, contrary to the laws of the State of Alabama.

WHEREFORE, the premises considered, Plaintiff respectfully prays that a judgment ni si in the amount of THREE HUNDRED SEVENTY-FOUR AND NO/100 (\$374.00) DOLLARS plus cost of court be entered against the Garnishee, Elizabeth's House of Gifts; and Plaintiff prays for such other, further and different relief as to Your Honor may seem meet and proper, the premises considered.

  
 HERBERT P. FEIBELMAN, JR.  
 Attorney for Plaintiff

**FILED**

DEC 3 1971

EUNICE B. BLACKMON CIRCUIT CLERK



BELLAS HESS SUPERSTORE, INC. OF  
MOBILE, a corporation,

Plaintiff

vs.

HELEN WILLETT, also known as  
MRS. EUGENE P. WILLETT,

Defendant

vs.

ELIZABETH'S HOUSE OF GIFTS,

Garnishee

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CIVIL DIVISION

CASE NO. 9826-1/2

ORDER GRANTING JUDGMENT NI SI

This matter having come on for a hearing on the 15<sup>th</sup> day of December, 1971 before Telfair J. Mashburn, Judge of the Circuit Court of Baldwin County, Alabama on the motion of the Plaintiff for a judgement ni si against the Garnishee, Elizabeth's House of Gifts; and no notice of said motion being necessary; and

It appearing that the allegations of the Plaintiff's motion are true and correct and that the relief therein prayed for should be granted;

It is, therefore, ORDERED, ADJUDGED and DECREED that the Plaintiff, Bellas Hess Superstore, Inc. of Mobile have and recover a conditional judgment against the Garnishee, Elizabeth's House of Gifts, for failure to answer the garnishment in the above entitled matter within the time allowed by law, such conditional judgment being in the amount of THREE HUNDRED SEVENTY-FOUR AND NO/100 (\$374.00) DOLLARS plus costs of court in the amount of

Dated, this the 15<sup>th</sup> day of December, 1971.

Telfair J. Mashburn  
CIRCUIT JUDGE

Received 15 day of Dec. 1971  
and on day of 1971  
I served a copy of the within Judge. Mide  
on Elizabeth House of  
Depts  
By service on Taylor Wilkins, Sheriff

by Deputy Sheriff  
Ten Cents per mile Total \$  
TAYLOR WILKINS, Sheriff

TAYLOR WILKINS, Sheriff  
By D. S.

Returned by express of  
Attorney J. J. Epie, 12-7

Feibelman & Siker

DEC 15 1971  
TAYLOR WILKINS  
SHERIFF

Serve.  
Elizabeth's House  
of Depts

Bellas Hess  
Supertore Inc.

vs.  
Helen Willett a/k/a  
Mrs. Eugene P. Willett

9826 1/2

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