

3127

State of Alabama  
County of Baldwin

To any sheriff of the State of Alabama:

You are hereby commanded to summon Mitchell Jernigan and Willie Mae Jernigan to appear within thirty days in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the Complaint of Joe Broughton.

Witness my hand, this the 15 day of June 1957.

Reice J. Wicks  
Clerk

Joe Broughton	Ø	In the Circuit Court of
Plaintiff	Ø	Baldwin County, Alabama
Vs	Ø	At Law. No.
Mitchell Jernigan and	Ø	
Willie Mae Jernigan	Ø	
Defendants	Ø	

1.

The Plaintiff claims of the Defendants Eighty Eight and 50/100 Dollars due from him on a Promissory Waive Note drawn by the Defendants to the First National Bank at Bay Minette, Alabama on to-wit July 16, 1956 in the amount of One Hundred Thirty Two and 50/100 dollars and due in six monthly installments of \$19.00, which said note was endorsed by the Plaintiff. Plaintiff alleges the Defendants have paid \$44.00 on said note and that the Plaintiff has had to pay said note, and that said note was transferred to him on November 5, 1956, with all the rights of the original holder of said note. Plaintiff alleges that the Defendants waived all right of exemptions in said note.

2.

Plaintiff claims of the Defendants Fifty Dollars as a reasonable Attorney's fee for the collection of said note drawn by the Defendants on to-wit July 16, 1956 and due in six monthly installments of \$19.00 each to the First National Bank of Bay Minette, Alabama. Plaintiff alleges that he has had to pay said note in the amount of \$88.50 on said note and that the Defendants owe him this amount. Defendants agreed to pay all reasonable Attorney's fee charged for the collection of said note.

Robert J. Jernigan

Garnishment on Judgment.

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 Term, 19, of the Circuit Court of Baldwin County,  
to-wit: On the day of , 19, being a regular day of  
said term,

JOE BROUGHTON

recovered judgment against MITCHELL JERNIGAN & WILLIE MAE JERNIGAN

for the sum of ONE HUNDRED THIRTEEN AND 50/100 Dollars, and cost of suit,  
and affidavit having been made by  
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the  
following named persons or corporations, viz:

BILL RIDER

has or is believed to have in HIS possession, or under HIS control money  
or effects belonging to said defendant MITCHELL JERNIGAN ET AL that HE is, or  
is believed to be indebted to said defendant MITCHELL JERNIGAN 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

BILL RIDER

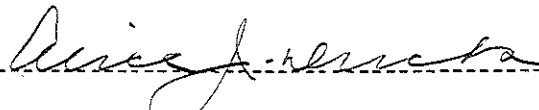
to be and appear before the honorable Judge of the Circuit Court for Baldwin County, at the Court House  
thereof, in the city of Bay Minette, on the WITHIN 30 days Monday in A. D. 19,  
then and there within the three first days of the term, to answer on oath, whether at the time of the service  
of the garnishment, or at the time making said answer, or at any time intervening the time of serv-  
ing the garnishment, and making the answer he was indebted to said defendant  
and whether it he 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 he has not in it his possession or under his control money or  
effects belonging to the defendant MITCHELL JERNIGAN ET AL

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

Witness, ALICE J. DUCK, Clerk of said Court, this 9th day of March, A. D., 1957.

Issued 9th day of March A. D., 1957.

ATTEST:

 Clerk.

State of Alabama

BALDWIN COUNTY

TO MITCHELL JERNIGAN &amp; WILLIE MAE JERNIGAN....., Defendant.....

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

JOE BROUGHTON....., Plaintiff.....,

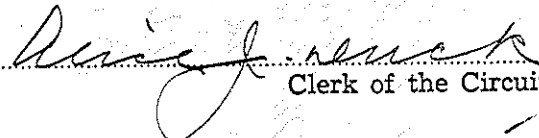
versus MITCHELL JERNIGAN &amp; WILLIE MAE JERNIGAN....., Defendant.....,

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

BILL RIDER.....

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the...9th.....

day of ~~XX~~ March....., 1945.  
Clerk of the Circuit Court.

BOND

The State of Alabama, }  
Baldwin County

CIRCUIT COURT

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, -----

are held and firmly bound unto -----

in the sum of ----- DOLLARS,

to be paid to the said -----

heirs, executors, administrators or assigns, for which payment well and truly to be made, we bind our-  
selves, 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 -----, 19-----

THE CONDITION OF THE ABOVE OBLIGATION IN SUCH, That whereas, the above bound

ha ----- commenced suit in the Circuit Court of said County by summons and complaint, which have issued  
from said Court, to recover of said -----

the sum of ----- Dollars,

and ha ----- on the day of the date hereof, prayed that Writ of Garnishment issue out of said Court to

summoning h ----- to answer what ----- indebted to said Defendant, or what effects of said  
Defendant ----- ha ----- in ----- possession, or under ----- control; and  
said Plaintiff having made oath as required by law in such cases, said Writ is about to issue out of said  
Court, returnable to the next Term of the Circuit Court, to be holden for Baldwin County.

NOW, if the said Plaintiff ----- shall prosecute the Garnishment to effect, and pay the Defendant all  
such costs and damages as ----- 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.

AND WE, and each of us, hereby waive all rights of claim of exemption we, or either of us have  
now, or may hereafter have, under the Constitution and laws of Alabama, and ----- hereby severally  
certify that ----- have property free from all incumbrance, to the full amount of the  
above bond.

----- (Seal)

----- (Seal)

----- (Seal)

Approved this ----- day of ----- A. D., 19-----

----- Clerk.

3127 1/2

The State of Alabama

Baldwin County

Before me, ALICE J. DUCK, Clerk of Circuit Court,

in and for said County, personally appeared Robert F. McFarley

who, being duly sworn, doth depose and say that

Mitchell Ferguson  
and Willie Mae Ferguson are

indebted to Joe Broughton in the sum of One hundred thirteen and 59/100 Dollars, ~~and~~

and that Joe Broughton has commenced on suit by summons and complaint on said indebtedness

against the said Mitchell Ferguson and Willie Mae

Ferguson and obtained judgment against them for said  
\$113.59 and costs Bill Riden  
and that Bill Riden

supposed to be indebted to the said Defendant S, or to have effects of the said Defendant S, in his

possession, or under his control, and that he believe that process of Garnishment against the said

Mitchell Ferguson and Willie Mae Ferguson is

is necessary to obtain satisfaction of said claim; and that the said Bill Riden

is believed to be chargeable as Garnishee in said cause; and that this Writ is not sued out for the purpose

of vexing or harassing said Defendant S, or other improper motives.

Sworn to and subscribed before me this 4th day of March 1957

Alice J. Duck, Clerk Circuit Court.

116

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

THE STATE OF ALABAMA

Baldwin County.

CIRCUIT COURT

Joe Broughton

Plaintiff

VS TO

Mitchell Ferguson  
and Willie Mae

Defendant

Bond and Affidavit in Garnishment  
on Summons

Filed this 4th day of

19

March 1957

Clerk.

Printed by Moore & Co.

Joe Broughton

Plaintiff

Vs

Mitchell Jernigan and  
Willie Mae Jernigan

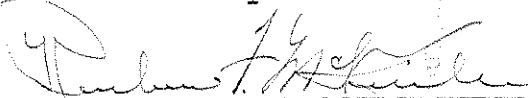
Defendants  
and

Bill Rider

Garnishee

In the Circuit Court of  
Baldwin County, Alabama  
At Law. No. \_\_\_\_\_

Now comes the Plaintiff and makes known to this Honorable Court that more than thirty days has elapsed since notice of a garnishment in said cause was served upon said garnishee. No answer having been given by said garnishee, the plaintiff moves this court to grant him a conditional judgment against said Garnishee, said judgment to be made final after thirty days unless said Garnishee makes answer and pays into Court the amount of forty percent of the wages of Defendant from the date said garnishment was served upon him.

  
Attorney for the Plaintiff

JOE BROUGHTON,	I		
Plaintiff,	I		
vs.	I	IN THE CIRCUIT COURT OF	
	I		
MITCHELL JERNIGAN and	I	BALDWIN COUNTY, ALABAMA	
WILLIE MAE JERNIGAN,	I		
Defendants,	I	AT LAW	NO. 3127½
BILL RIDER,	I		
Garnishee.	I		

Comes Bill Rider, the Garnishee in the above styled cause, and makes the following answer to the Writ of Garnishment which was served upon him in said matter, under oath:

That at the time of the service of the above garnishment and at the time of making this answer and at all times intervening between the service of such garnishment and the making of this answer, he was not indebted to the Defendants, and he will not be indebted in the future to said Defendants by a contract now existing and he is not liable to said Defendants by a contract now existing 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 he does not have in his possession or under his control money or effects belonging to such Defendants.

For further answer to such garnishment Bill Rider says that Willie Mae Jernigan, one of the Defendants, has never been employed by him. That Mitchell Jernigan is employed by him by the week but that the said Mitchell Jernigan is indebted to the said Bill Rider and under an agreement entered into between them the said Mitchell Jernigan is paying the said Bill Rider each week on his indebtedness. That if and when such Defendant pays affiant the amount of his indebtedness, the said Bill Rider will be willing to withhold for the Plaintiff such amounts as may then be fixed by the Court. That the said Bill Rider has previously informed the Plaintiff that Mitchell Jernigan is indebted to the said Bill Rider.

Bill Rider  
As Garnishee

Sworn to and subscribed before me on  
this the 5<sup>th</sup> day of June, 1957.

  
\_\_\_\_\_  
Notary Public, Baldwin County, Alabama



RECORDED

JOE BROUGHTON,

Plaintiff,

vs.

MITCHELL JERNIGAN and WILLIE  
MAE JERNIGAN,

Defendants,

BILL RIDER,

Garnishee.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE NO. 3127 $\frac{1}{2}$

FILED

JUN 5 1957

ALICE L. BUCK, Clerk

LAW OFFICES

CHASON & STONE