

H. B. CORBETT,
PLAINTIFF
VS.
D. E. WHITE,
DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA


IN LAW

COUNT I

Plaintiff claims of the Defendant the sum of \$161.70, together with the interest thereon, to-wit, the 6th day of December, 1957, which sum of money together with the interest thereon is still due and unpaid.

COUNT II

Plaintiff claims of the Defendant the sum of \$161.70 together with interest thereon, due by account stated by and between the Plaintiff and the Defendant on, to-wit, the 6th day of December, 1957, which sum of money together with the interest thereon is still due and unpaid.


Attorney for Plaintiff

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No.

.....March.....TERM, 1958

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon D. E. White

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 D. E. White

....., Defendant

by H. B. Corbett

....., Plaintiff.....

Witness my hand this 5 day of March 1958.

Executed

153

Revised March Clerk

Mar. 5, 1958

BOND

THE STATE OF ALABAMA
Baldwin County.

CIRCUIT COURT.

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, H. B. Corbett, Julian Bristow and C. C. Waters

are held and firmly bound unto D. E. White

in the sum of Three hundred and thirty and no/100
~~One hundred and sixty-one and 70/100~~ DOLLARS,

to be paid to the said D. E. White

heirs, executors, administrators or assigns; for which payment well and truly to be made, we bind ourselves, 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 4th day of March 1958.

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

H. B. Corbett

has commenced suit in the Circuit Court of said County by summons and complaint, which have issued from said Court, to recover of said D. E. White

the sum of One hundred and sixty-one and 70/100 Dollars,

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

City of Bay Minette

summoning it to answer what it is indebted to said Defendant, or what effects of said Defendant it has in its possession, or under its 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 he 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 we hereby severally certify that we have property free from all incumbrance, to the full amount of the above bond.

H. B. Corbett (Seal)

Julian Bristow (Seal)

C. C. Waters (Seal)

Approved this 5 day of May A. D., 1958

Desai J. Nuck Clerk.

State of Alabama

BALDWIN COUNTY

TO D. E. White, Defendant:

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

H. B. Corbett, Plaintiff,

versus D. E. White, Defendant,

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

City of Bay Minette

has been named as Garnishee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 5th.

day of March, 1945⁸*Executed*
Mar. 5, 1958

156

Reine J. [Signature]
Clerk of the Circuit Court.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama—Greeting:

Whereas, H. B. Corbett

has commenced suit by Summons and Complaint returnable to the next term of the Circuit Court of said
County, against D. E. White

for the sum of ~~One hundred and sixty-one and 70/100~~ Dollars and whereas, the said
H. B. Corbett

has entered into bond, and made affidavit as required by law that the said D. E. White

is indebted to him in the sum of One hundred and sixty-one and 70/100

Dollars, and that process of garnishment is believed to be necessary to obtain satisfaction of such judgment
as may be recovered by Plaintiff, and that The City of Bay Minette, Bay Minette,
Alabama

is believed to be chargeable as garnishee in the cause.

YOU ARE THEREFORE, commanded to summon the said City of Bay Minette

to be and appear ~~at the~~ at the Circuit Court of said County within 30 days from service
hereof

then and there to answer, upon oath, whether, at the time of the service of this garnishment, or at the
time of making your answer, or at any time intervening between the time of serving the garnishment and
making the answer, you were indebted to the defendant, and whether, you will not be indebted to him in
the future by a contract then existing, and whether by a contract then existing, you are liable to him 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 you have not in your possession
or under your control money or effects belonging to the defendant.

Witness my hand this 5 day of March, 1958.

Executed
Mar. 5, 1958

David J. - [Signature]
Clerk.

Received 5 day of March 1958
and on 5 day of March 1958

I served a copy of the within what
on City of Bay Minette

By service on Ludolph Cromatic

TAYLOR WILKINS, Sheriff

By W. A. Talbert D. S.

O mi

No. 3469

Circuit Court of Baldwin County

H. B. Corbett

VS. } **GARNISHMENT ON SUMMONS**

D. E. White

City of Bay Minette, Garnishee

Issued _____ day of _____ 19____

FILED

MAR 5 1958

ALICE J. DUCK, Clerk

J. Connor Owens, Jr.

Plaintiff's Attorney

H. B. CORBETT,)	
)	
Plaintiff,)	
VS.)	IN THE CIRCUIT COURT OF
)	BALDWIN COUNTY, ALABAMA
DOUGLAS WHITE,)	
)	AT LAW
Defendant,)	NO. 3469
)	
CITY OF BAY MINETTE, ALABAMA,)	
)	
Garnishee.)	

ANSWER OF GARNISHEE

Now comes the City of Bay Minette, Alabama, the garnishee named in the above entitled cause, and for answer to the writ of garnishment issued in this cause and served on the said City, makes the following answer thereto:

1. At the time of the service of the said garnishment and on, to-wit, March 5, 1958, the said City of Bay Minette, Alabama, was indebted to the defendant in the amount of \$41.70.
2. At the time of the making of this answer to the said writ of garnishment, the said garnishee was indebted to the defendant (March 14, 1958) in the amount of \$133.34, which includes the item of \$41.70 referred to in the above paragraph.
3. The defendant is still employed by the garnishee and if the employment continues the garnishee will be indebted to the defendant in the future; however, the garnishee has paid to the defendant and will pay to him sixty percent (60%) of his said wages in the manner provided by law.
4. Another suit on the said claim is pending in the Justice Court of Frank P. Propst, in which the City of Bay Minette, Alabama, has also been named as garnishee. In the said case H. B. Corbett is plaintiff and Douglas White is defendant.

Dated this 14th day of March, 1958.

CITY OF BAY MINETTE, ALABAMA

By AR Comartin
As its Clerk

Sworn to and subscribed before me on
this the 14 day of March, 1958.

Desire J. French
Notary Public, Baldwin County, Alabama
Clerk, Circuit Court