

3470

H. B. CORBETT,	)	
Plaintiff,	)	
VS.	)	IN THE CIRCUIT COURT OF
TOLLIE ROBERTSON,	)	BALDWIN COUNTY, ALABAMA
Defendant,	)	AT LAW
RAY E. LOPER LUMBER COMPANY,	)	
INC.,	)	
Garnishee.	)	

ANSWER

Now comes the garnishee and for answer to the writ of garnishment which was served on it in this cause, says:

1. It was indebted to the defendant at the time of the service of the writ of garnishment in this cause in the sum of Forty Dollars (\$40.00), part of which is exempt to the defendant in the manner provided by law.

2. At the time of the service of the said garnishment and previous thereto, a writ of garnishment was served on the said garnishee in a case pending in the Justice Court of Frank P. Propst, in which the First National Bank of Bay Minette is plaintiff, and Tollie Robertson is defendant. This matter is still pending.

3. If the defendant continues to be employed by the garnishee, it will be indebted to him in the future, but it is impossible for the garnishee to state at this time in what amount or amounts.

Dated this 11<sup>th</sup> day of April, 1958.

RAY E. LOPER LUMBER COMPANY, INC.,

By W. B. Barnes  
As its Manager

*Filed April 14, 1958*

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

Before me, the undersigned authority, within and for said County in said State, personally appeared J. F. Barnes, who, after being by me first duly and legally sworn, deposes and says: That he is Manager of Ray E. Loper Lumber Company, Inc., that he has read over the foregoing instrument, and that the facts stated therein are true.

J. F. Barnes

Sworn to and subscribed before me on this the 11<sup>th</sup> day of April, 1958.

Mary Lee Blackburn

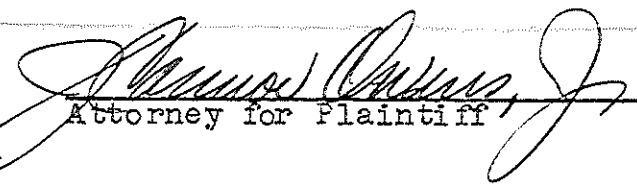
Notary Public, Baldwin County, Alabama

H. B. CORBETT,  
Plaintiff  
vs.  
TOLLIE ROBERTSON,  
Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN LAW. NO. \_\_\_\_\_.

Now comes the plaintiff, by his attorney, and files this contest to a claim of exemption from garnishment heretofore filed in this cause, and says in his belief that:

1. That said claim of exemption is invalid.
2. That said claim of exemption is invalid as to that portion of the wages of the defendant in excess of 60% of the defendant's net wages due, or to become due.
3. That said claim of exemption is invalid in that it does not allege that the defendant owns no other personal property other than wages due, or to become due.
4. That said claim of exemption is invalid in that it seeks to exempt from garnishment wages of the defendant which are not due.
5. That it affirmatively appears that under the law that the defendant is exempt, as to wages, only 60% of the wages paid to him, or to be paid to him.
6. For ought it appears from the exemption filed, the defendant will earn more than \$1000.00 in the forthcoming twelve month period.

*Filed April 8, 1958*  
  
Attorney for Plaintiff

H. B. CORBETT

PLAINTIFF

VS

TOLLIE ROBERTSON

DEFENDANT

and

RAY E. LOPER LUMBER,  
COMPANY, INC.,

GARNISHEE

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

CASE NO. \_\_\_\_\_

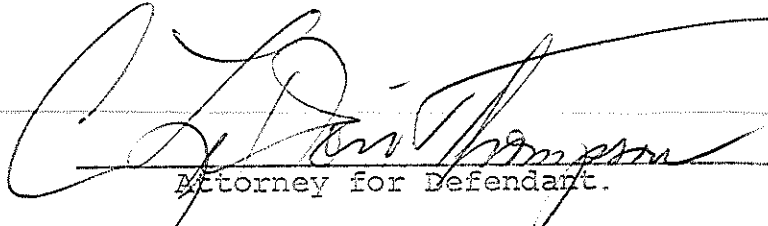
Comes the Defendant and for answer to said complaint shows  
unto this Honorable Court as follows:

1.

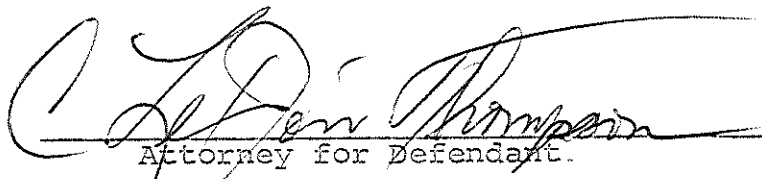
As to Count one he denies the allegations thereof.

2.

As to Count two he denies the allegations thereof.

  
Attorney for Defendant.

Defendant demands a trial by jury.

  
Attorney for Defendant.

*Filed April 2, 1958*

STATE OF ALABAMA  
BALDWIN COUNTY

H. B. CORBETT

PLAINTIFF

VS

TOLLIE ROBERTSON

DEFENDANT

and

RAY E. LOPER LUMBER,  
COMPANY, INC.,

GARNISHEE

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW.  
CASE NO.

TO THE SHERIFF OF SAID COUNTY-----GREETING:

You are hereby commanded to notify the said Plaintiff that on the 29 day of March, 1958, the said Defendant filed in said cause his claim of exemptions.

You are required to execute this process instanter, and return the same immediately upon the execution thereof.

WITNESS my hand this 29 day of March, 1958.

  
CLERK OF THE CIRCUIT COURT.

STATE OF ALABAMA  
BALDWIN COUNTY

TO H. B. CORBETT, the Plaintiff in the case of H. B. CORBETT vs TOLLIE ROBERTSON:

You are hereby notified that Tollie Robertson, the defendant in the above named action, has this day filed with me a claim in writing, verified by oath, claiming as exempt to him the following described property: All wages which are now due me from Ray E. Loper Lumber Company, Inc., or which may be due me from any sources during the coming twelve months in the amount of ONE THOUSAND (\$1,000.00) DOLLARS.

WITNESS my hand this the 29 day of March, 1958.

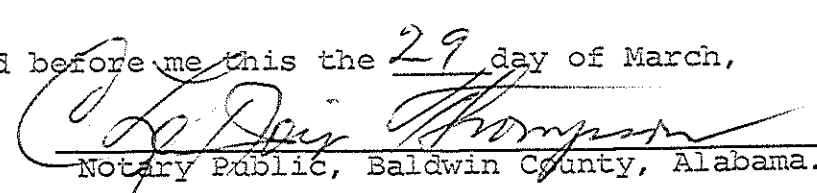
STATE OF ALABAMA  
BALDWIN COUNTY

I, Tollie Robertson, a resident of the State of Alabama and county aforesaid, do hereby make and file this my declaration in writing, under oath, that I have claimed and do claim and set apart as being exempt from levy, seizure, or sale under execution or other process for the collection of debts, the following described property owned by me, to-wit: All wages which are now due me from Ray E. Loper Lumber Company, Inc., or which may be due me from any sources during the coming twelve months in the amount of ONE THOUSAND (\$1,000.00) DOLLARS.



Sworn to and subscribed before me this the 29 day of March, 1958.

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Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA  
BALDWIN COUNTY

I, TOLLIE ROBERTSON, a resident of Baldwin County, State of Alabama, do hereby make and file this my declaration in writing, under oath, that I have claimed and do claim and set apart as being exempt from levy, seizure, or sale under exaction or other process for the collection, of debts, the following described property owned by me to-wit:

All wages which are now due me from Ray E. Loper Lumber Company, Inc., or which may be due me from any sources during the coming twelve months in the amount of ONE THOUSAND (\$1,000.00) DOLLARS.

Tollie Robertson

Sworn to and subscribed before me this the 22 day of March, 1958.

C. L. Thompson  
Notary Public, Baldwin County, Alabama.

*Filed March 28, 1958*

BOND

THE STATE OF ALABAMA  
Baldwin County.

CIRCUIT COURT.

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, H. B. Corbett, A. C. Talbot, and Harry Still

are held and firmly bound unto Tollie Robertson

in the sum of Two hundred and sixty and no/100 DOLLARS,

to be paid to the said Tollie Robertson

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 5th day of March 19 58.

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 Tollie Robertson

the sum of One hundred and twenty-seven and 61/100 Dollars,

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

Loper Lumber Company

summoning it to answer what it indebted to said Defendant, or what effects of said Defendant

it has in it possession, or under its control; and said Plain-

tiff 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)

A C Talbot (Seal)

Harry Still (Seal)

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

Angie J. Hirsch Clerk.

State of Alabama  
BALDWIN COUNTY

TO ..... Tollie Robertson ..... , Defendant.....

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

..... H. B. Corbett ..... , Plaintiff.....

versus ..... Tollie Robertson ..... , Defendant.....

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

..... Loper Lumber Company.....

has<sup>S</sup> been named as Garnishee.....

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

day of March, 194<sup>x</sup> 58.

*Wing J. Smith*  
Clerk of the Circuit Court.



H. B. CORBETT,  
PLAINTIFF

VS.

TOLLIE ROBERTSON,  
DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

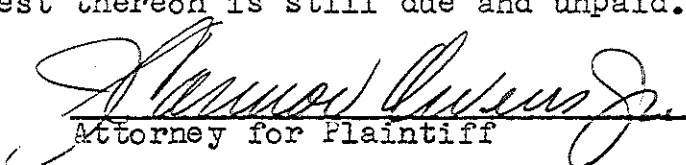
IN LAW.

COUNT I

Plaintiff claims of the defendant the sum of \$127.61, together with the interest thereon, to-wit: the 24th day of September, 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 \$127.61, together with the interest thereon, due by account stated by and between the plaintiff and the defendant on, to-wit: the 24th day of September, 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,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. ....

..... March ..... TERM, 19..58

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Tollie Robertson

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 Tollie Robertson

....., Defendant .....

by H. B. Corbett

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

Witness my hand this 5 day of March 19..58.

Franklin March 5, 1958 Alvin J. Hunk, Clerk

State of Alabama

BALDWIN COUNTY

TO Tollie Robertson, Defendant.....

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

H.B. Corbett, Plaintiff.....versus Tollie Robertson, Defendant.....

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

H.H. Robertson.....

has been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 22day of ....., 1959..Cliff Clark  
Clerk of the Circuit Court.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State aforesaid J. Connor Owens, Jr.

who being duly sworn, on oath says, that a regular Term  
of the Circuit Court of Baldwin County, to-wit: on the 11 day of September  
19 58, H.B. Corbett

recovered a judgment against Tollie Robertson

for the sum of  
ONE HUNDRED TWENTY-SEVEN and 61/100 (\$127.61) Dollars  
besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

H.H. Robertson

supposed to be indebted to or have effects of the said Tollie Robertson

in his possession, or under his control, and that he believes process of

Garnishment against said H.H. Robertson

is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 22

day of July A. D. 1959

Alice J. Duck  
Clerk.

J. Connor Owens, Jr.

**THE STATE OF ALABAMA,** {  
BALDWIN COUNTY

CIRCUIT COURT BALDWIN COUNTY

~~July~~ TERM, 194~~7~~<sup>59</sup>

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

WHEREAS, At a regular ~~September~~ Term, 194~~7~~<sup>59</sup> of the Circuit Court of Baldwin County,to-wit: On the 11 day of September, 194~~7~~<sup>58</sup> being a regular day ofsaid term, H.B. Corbettrecovered judgment against Tollie Robertsonfor the sum of One Hundred Twenty Seven & 61/100 Dollars, and cost of suit,and affidavit having been made by J. Connor Owens, Jr.  
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, viz:H.H. Robertsonhas or is believed to have in his possession, or under his control moneyor effects belonging to said defendant or that he is, oris 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

H.H. Robertsonto be and appear before the honorable the Circuit Court for Baldwin County, at the Court House thereof. in  
the city of Bay Minette, within 30 days of service hereof ~~on the Monday next, to-wit: Monday A. D. 194~~7~~<sup>59</sup>~~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 his answer, or at any time intervening the time of serv-ing the garnishment and making the answer he was indebted to said defendantand whether he will not be indebted in future to said defendantby a contract then existing, and whether by a contract then existing he

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 he has not in his possession or under his control money oreffects belonging to the defendant Tollie Robertson

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

Witness, Alice J. Duck Clerk of said Court, this 22 day of JulyA. D., 194~~7~~<sup>59</sup>. ISSUED day of A. D. 194~~7~~<sup>59</sup>

ATTEST:

Alice J. Duck Clerk.

EX-7-27-59

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

\_\_\_\_\_, Sureties, are held and firmly bound unto TOLLIE ROBERTSON, his heirs executors and administrators in the amount of TWO HUNDRED AND FIFTY-FIVE and 22/100(\$255.22) DOLLARS, for the payment of which we jointly and severally bind ourselves, our heirs, executors and administrators.

The condition of the above obligation is such that whereas the above bound H. B. Corbett has on the 7th day of April, 1958, filed a contest to a claim of exemption in the Circuit Court of Baldwin County, Alabama, against the said Tollie Robertson, said claim of exemption having been filed by said Tollie Robertson against a garnishment filed by said H. B. Corbett heretofore in this Court,

H.B. Carlett (LS)

Thompson Patterson (LS)

Albert M. Thompson (LS)

Rebecca L. Wink  
Clerk, Circuit Court

Filed April 8, 1958