

3661

STATE OF ALABAMA     )  
                              \*  
BALDWIN COUNTY        )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon WILLIAM D. HICKS, to appear within thirty days from the service of this writ 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 L. D. OWEN, doing business as Builders Hardware and Supply Company.

WITNESS my hand this 24 day of September, 1958.

Alice J. Luck  
Clerk.

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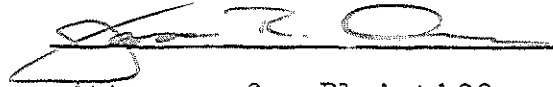
L. D. OWEN, doing business as Builders Hardware and Supply Company,	¶	IN THE CIRCUIT COURT OF
	¶	BALDWIN COUNTY, ALABAMA
Plaintiff,	¶	AT LAW.
vs.	¶	
WILLIAM D. HICKS,	¶	
Defendant.	¶	

COUNT ONE:

The Plaintiff claims of the Defendant the sum of One Hundred Thirty-three and no/100 Dollars (\$133.00), the balance due under a contract made and entered into by and between the Plaintiff and the Defendant on March 14, 1958, under the terms of which the Defendant was to pay to the Plaintiff the sum of Thirty-six and 60/100 Dollars (\$36.60) each month, commencing on April 15, 1958, for six consecutive months. Plaintiff avers that the Defendant has paid the sum of Eighty-six and 60/100 Dollars (\$86.60), and that the balance of said payments are now due and payable.

Plaintiff further avers that under and by the terms of the said contract, the Defendant agreed to pay fifteen percent (15%) of the amount due as attorney's fees in the event the said contract was placed in the hands of an attorney for collection, and Plaintiff

avers that ie has become necessary to place the said contract in the hands of an attorney for collection and claims an attorney's fee of Nineteen and 95/100 Dollars (\$19.95).



Attorney for Plaintiff.

19.95  
2.72  
133.00  
155.67

3661

Received 24 day of Sept 1958  
and on 30 day of Sept 1958  
served a copy of the within D & C  
on William D. Hicks  
By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By W. A. Zallert D. S.

5 miles west  
of Perdida

Sheriff claims 36 miles at

Ten Cents per mile Total \$ 3.60

TAYLOR WILKINS, Sheriff

BY Zallert  
DEPUTY SHERIFF

SUMMONS AND COMPLAINT

L. D. OWEN, doing business as  
Builders Hardware and Supply  
Company,

Plaintiff,

vs.

WILLIAM D. HICKS,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW.

FILED

SEP 24 1958

ALICE J. DUCK, Clerk

JAMES R. OWEN  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

L. D. OWEN, doing business  
as Builders Hardware & Supply  
Company,

Plaintiff,

vs.

WILLIAM D. HICKS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW. NO. 3661 $\frac{1}{2}$ .

NOTICE TO DEFENDANT:

STATE OF ALABAMA )

\*

BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to notify William D. Hicks, that  
on the 7<sup>th</sup> day of August, 1959, a Writ of Garnishment in the  
above styled cause was issued to Alabama Drydock and Ship Building  
Company, a corporation, as garnishee.

And you will return this writ according to law.

WITNESS my hand this 7<sup>th</sup> day of August, 1959.

  
Clerk.

Defendant's address is  
Perdido, Alabama.

L. D. OWEN, doing business  
as Builders Hardware & Supply  
Company,

Plaintiff,

vs.

WILLIAM D. HICKS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW. NO. 3661 $\frac{1}{2}$ .

WRIT ON JUDGMENT:

STATE OF ALABAMA )

\*

BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

WHEREAS, James R. Owen has made affidavit as required by law that L. D. Owen, doing business as Builders Hardware & Supply Company, Plaintiff, at the December 12, 1958, term of the Circuit Court of Baldwin County, recovered a judgment against the Defendant, William D. Hicks, for the sum of \$155.67 and the further sum of \$14.80 cost of suit; and that he believes the process of garnishment is necessary to obtain satisfaction of judgment, and that Alabama Drydock and Ship Building Company, a corporation, has, or is believed to have in its possession or under its control, money or effects belonging to the Defendant, or that it is believed to be indebted to the Defendant, or to be liable to him 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.

THESE ARE, THEREFORE, to command you, that you summon the said Alabama Drydock and Ship Building Company, a corporation, to be and appear at the next term of Circuit Court of Baldwin County, to be held for said County, within thirty days after the service of this writ of garnishment, then and there to answer on oath, whether at the time of the service of this writ, or at the time of making its answer, it has in its possession, or under its control any money or effects belonging to the Defendant; and whether it is

indebted to said Defendant, or is liable to him on any contract for the payment of money or 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.

WITNESS, Alice J. Duck, Clerk of said Court, at office,  
this 7<sup>th</sup> day of August, 1959.

  
Clerk.

L. D. OWEN, doing business  
as Builders Hardware & Supply  
Company,

Plaintiff,

vs.

WILLIAM D. HICKS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO. 3661 $\frac{1}{2}$

AFFIDAVIT ON JUDGMENT:

STATE OF ALABAMA )

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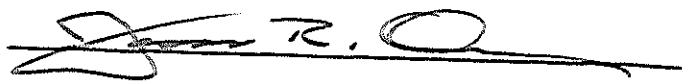
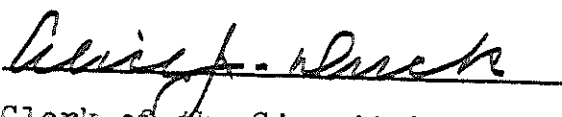
BALDWIN COUNTY )

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for said County, James R. Owen, who being duly sworn, deposes and says: That at the December 12, 1958 term of the Circuit Court of Baldwin County, the Plaintiff in this cause recovered a judgment against the Defendant, William D. Hicks, for the sum of \$155.67 and the further sum of \$14.80 cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment and that Alabama Drydock and Ship Building Company, a corporation, has or is believed to have in its possession or under its control, money or effects belonging to the Defendant, or that it is believed to be indebted to the Defendant, or to be liable to him 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.

Sworn to and subscribed

before me this the 7<sup>th</sup>

day of August, 1959.

  
  
Clerk of the Circuit Court of  
Baldwin County, Alabama.

STATE OF ALABAMA:

COUNTY OF MOBILE:

Builders Hardware & Supply Co. PLAINTIFF

William D. Hicks DEFENDANT

Your No. 3661 $\frac{1}{2}$

VS:

ALABAMA DRY DOCK & SHIPBUILDING COMPANY, Garnishees:

Before the Circuit Court - Baldwin County

~~Court of Mobile~~ in and for said County and State:

And now comes the Alabama Dry Dock and Shipbuilding Company, through and by  
H. H. Wilson, its agent duly authorized by it to make this answer,  
and for answer to the garnishment in this cause says:

~~In accordance with the new Garnishment law passed in 1955, the Alabama Dry Dock and Shipbuilding Company has been notified by the Court of Mobile that it is required to pay the amount of the garnishment to the Court of Mobile and not to the Alabama Dry Dock and Shipbuilding Company. The Alabama Dry Dock and Shipbuilding Company has been notified by the Court of Mobile that it is required to pay the amount of the garnishment to the Court of Mobile and not to the Alabama Dry Dock and Shipbuilding Company.~~

NOTE: The above named defendant has a prior Garnishment under collection since 2-5-60.  
The time of completion of this Garnishment is unpredictable due to working conditions.  
The Garnishment from your Court will be next in line for collection.

ALABAMA DRY DOCK & SHIPBUILDING CO.

By H. H. Wilson Agent.  
H. H. Wilson

Subscribed and sworn to before me this

13th day of June 1960

refer to our No. 1861

E. E. Davis  
Notary Public, Mobile County, Alabama



STATE OF ALABAMA:

COUNTY OF MOBILE:

Builders Hardware & Supply Co. PLAINTIFF

William D. Hicks DEFENDANT

Your No. 3661 $\frac{1}{2}$

VS:

ALABAMA DRY DOCK & SHIPBUILDING COMPANY, Garnishees:

Before the Circuit Court - Baldwin County  
~~Court of Mobile~~ in and for said County and State:

And now comes the Alabama Dry Dock and Shipbuilding Company, through and by  
H. H. Wilson its agent duly authorized by it to make  
this answer, and for answer to the garnishment in this cause says:

That at the service of this writ of garnishment and at the time of making  
its answer thereto, it is indebted to said defendant in the sum of  
✓ One Hundred Eighty Two & 07/100 - - - - - Dollars, (\$182.07)  
being wages, salary or compensation for personal services rendered by defendant,  
who is a resident of the State of Alabama, and that neither at the time of the  
service of said writ, nor at any time since has it been indebted to said defendant  
in any other and further sum; and that it will not be indebted in the future to  
said defendant by a contract now or previously existing; and that is not liable to  
said defendant by a contract now or previously 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 that it has not now  
in its possession or under its control any money or effects belonging to said de-  
fendant, and that it has not had in its possession or under its control since the  
service of said writ any money belonging to said defendant, and that it does not  
know or believe that any other person is indebted to said defendant; and that it  
does not know or believe that any other person has effects of said defendant in his  
possession or under his control.

✓ And having answered said Garnishment, prays to be hence dismissed with its reasonable  
costs in his behalf expended.

ALABAMA DRY DOCK & SHIPBUILDING CO.

By *H. H. Wilson* Agent  
H. H. Wilson

Subscribed and sworn to before me, this

3rd. day of October 1960

*J. E. Davis*  
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

refer to our No. 1861

L. D. OWEN, doing business as  
Builders Hardware and Supply  
Company,

Plaintiff,

VS.

WILLIAM D. HICKS,

Defendant.

AND

ALABAMA DRY DOCK AND SHIP  
BUILDING COMPANY, a Corporation,

Garnishee.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 3661½

ORDER

It appearing to the Court from the sworn answer of the Garnishee, admitting indebtedness to the Defendant, that the Garnishee is indebted to the Defendant in a sum equal to the amount sued for by the Plaintiff, that Defendant has not executed bond for the disillusion of the garnishment; and it further appearing to the Court that there are funds of the Defendant in the hands of the Garnishee in the amount sued for, and now held under the terms of the said garnishment. It is, therefore,

ORDERED AND ADJUDGED by the Court that Alabama Dry Dock and Ship Building Company, a Corporation, pay into the hands of Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, the sum of One Hundred Eighty two and 07/100 Dollars (\$182.07) out of the funds due said Defendant, as admitted in the sworn answer of the Garnishee, which sum is to be paid by the Clerk to Plaintiff in this cause after paying the court costs of this case and Case No. 3661.

ORDERED AND ADJUDGED further that when said sum is paid into the hands of the Clerk, that the Garnishee shall be discharged from all liability for the amount so paid.

ORDERED on this the 7 day of October, 1960.

FILED

OCT 7 1960

ALICE J. DUCK, CLERK  
REGISTER

*J. Hubert M. Starn*  
Judge

# Alabama Dry Dock and Shipbuilding Co.

POST OFFICE BOX 190

Mobile 2, Alabama

PLANT: PINTO ISLAND

CABLE ADDRESS "DRYDOCK MOBILE"

Sept - 22 - 1960 -

Alma J. Duck - Clerk  
~~Current Court -~~  
Baldwin Co -

Dear Mrs. Duck -

This week we have completed  
Collections - on the Garnishment  
out of your Court - we would  
like to have what ever additional  
Costs you have so that we  
can complete this Case -

Builders Hardware & Supply - Co -  
US

William W. - Hicks -  
Your - No - 366 1/2 -

W. H. Wilson - agent -  
Alma Dry Dock -

3661 1/2

Received 7 day of Aug 1959  
and on 7 day of Aug 1959  
served a copy of the within Notice  
on Wm. D. Hicks

/ service on \_\_\_\_\_  
TAYLOR WILKINS, Sheriff  
By \_\_\_\_\_ D. S.

*Returned by  
order of attorney  
Owen*

Received 10 day of May 1960  
and on 19 day of May 1960  
served a copy of the within Notice  
on Wm. D. Hicks

/ service on \_\_\_\_\_  
TAYLOR WILKINS, Sheriff  
By W. A. Talbot D. S.

Perdido  
Sheriff claims 26 miles at \_\_\_\_\_  
Ten Cents per mile Total \$ 2.60  
TAYLOR WILKINS, Sheriff  
BY Talbot  
DEPUTY SHERIFF

NOTICE TO DEFENDANT

L. D. OWEN, doing business as  
Builders Hardware & Supply  
Company,

Plaintiff,

vs.

WILLIAM D. HICKS,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW. NO. 3661 1/2

FILED

AUG 7 1959

ALICE J. DUCK, CLERK  
REGISTER

cd  
2/58 3661 1/2 54

WRIT ON JUDGMENT

L. D. OWEN, doing business  
as Builders Hardware & Supply  
Company,

Plaintiff,

vs.

WILLIAM D. HICKS,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW. NO. 3661 1/2

24+  
Lcl.  
Mr. Wilson, P.M.

Returned By  
Return of  
Attorney Owen

Received \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
and on 19 day of May 1960  
I served a copy of the within C. & C  
on \_\_\_\_\_  
By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By W. A. Talbot D. S.  
Perdicke

EXECUTED  
This 24 day of May, 1960  
by serving a copy of the within on  
Mr. Wilson, P.M.  
RAY D. BRIDGES, Sheriff  
By J. W. Floyd D.S.

3661 1/2

AFFIDAVIT ON JUDGMENT

L. D. OWEN, doing business as  
Builders Hardware & Supply  
Company,

Plaintiff,

vs.

WILLIAM D. HICKS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO. 3661 1/2

Note 10/3/60

Please send us letter  
of Condemnation on  
this and - so we can  
mail you a check -  
H.H.C.