

The State of Alabama, {
Baldwin County.

ARTHUR WEAVER Plaintiff
vs.
J.M. SMITH Defendant

In the
CIRCUIT Court of BALDWIN CO.
No.

And now on this the 11th day of January 1932, comes
J.A. ERTZINGER

who, being duly sworn deposes and says

for answer to said Garnishment, that at the time of the service of said writ of garnishment, and
at the time of making this answer, said garnishee was then indebted to said defendant

and that he will be ~~be~~ indebted in future to said

defendant by contract then or now existing; that he will ~~not~~ be held liable to said de-

endant 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 garnishee has

~~not~~ in his possession or under his control money or effects

belonging to defendant as follows:--\$40.00 now due on two notes given
defendant, and about eighty-two notes of \$20.00 each, due to the
defendant monthly.

Having fully answered said garnishment the said garnishee prays to be hence dismissed,
with his reasonable costs for making this answer.

Sworn to and subscribed before me this 11th day of January 1932

J.A. Ertzinger

T.M. Richardson

Clerk Circuit Court, Baldwin County, Ala.

RECORDED

No. 9575

Answer of Garnishee

CIRCUIT COURT, BALDWIN COUNTY,
ALA., LAW SIDE.

Arthur Weaver

Plaintiff..

vs.

J. M. Smith

Defendant..

J. A. Ertzinger

Garnishee

Filed

Jan 11, 1932

T. W. Rice

Clerk.



Beck & Hall

Plaintiffs Atty.

MOORE FIG CO

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon J. M. SMITH to appear within thirty days from the service of this writ, in the Circuit Court to be holden for the said County, at the place of holding the same, then and there to answer the complaint of ARTHUR WEAVER.

WITNESS my hand this the 4th day of Jan 1932,
1932.

J. M. Smith
Clerk.

ARTHUR WEAVER,
Plaintiff,

vs

J. M. SMITH,
Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

FIRST:

Plaintiff claims of the Defendant the sum of One Hundred Four and 14/100 Dollars, due from him by account on to-wit, the 1st., day of February, 1929, which sum of money with interest thereon is still due and unpaid.

SECOND:

Plaintiff further claims of the Defendant the sum of One Hundred Four and 14/100 Dollars, due from him on account stated, between the Plaintiff and Defendant on the 6th., day of November, 1930, which sum of money with interest thereon is still due and unpaid.

THIRD:

Plaintiff further claims of the Defendant the sum of One Hundred Four and 14/100 Dollars, due from him for merchandise,

goods and chattels sold by the Plaintiff to the Defendant during the month of January, 1929, which sum of money with interest thereon is still due and unpaid.

FOURTH:

Plaintiff further claims of the Defendant the sum of One Hundred Four and 14/100 Dollars, due from him for monies paid by the Plaintiff for the Defendant on to-wit, the 6th., day of November, 1930, at his request, which sum of money with interest thereon is still due and unpaid.

Duke Hall
ATTORNEYS FOR PLAINTIFF.

ARTHUR WEAVER

Plaintiff,

-vs-

J. M. SMITH,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE,

STATE OF ALABAMA

BALDWIN COUNTY.

J. A. ERTZINGER,

Garnishee.

WHEREAS, on January 4th, 1932, a Writ of Garnishment was issued out of the Circuit Court-Law Side, State of Alabama, Baldwin County, in the above stated cause, wherein J. A. Ertzinger was named as Garnishee;

AND WHEREAS, on January 5th, 1932, said Writ of Garnishment was served on J. A. Ertzinger, as Garnishee, in the above styled cause;

AND WHEREAS, on January 11th, 1932, said Garnishee filed answer in the above styled cause;

AND WHEREAS, on January 23rd, 1932, Defendant filed in said cause a Bond, with good and sufficient sureties, approved by me, in double the value of the claim sued for;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that the said Garnishment is hereby released and discharged by the giving of Bond above mentioned.

Jan 23 rd / 1932 }

D. G. Richardson
Clerk.

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Principia

Recd Jan 23/95
D. R. R.

100743

The State of Alabama,
Baldwin County

CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA---GREETING:

Whereas Arthur Weaver
has commenced suit by Summons and Complaint returnable to the next term of the Circuit Court
of said County, against J.M. Smith
for the sum of One Hundred Four & 14/100 Dollars and whereas, the said
Arthur Weaver
has entered into bond, and made affidavit as required by law that the said
J.M. Smith
is indebted to Arthur Weaver in the sum of One Hundred Four & 14/100
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 J.A. Ertzinger
is believed to be chargeable as garnishee in the cause.

YOU ARE THEREFORE, commanded to summon the said J.A. Ertzinger

to be and appear at the First Monday In February, 1932 of the Circuit Court, to
be holden for the County of Baldwin, on February 1st., 1932,
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 8th day of January, 1932.

J. M. Rice
Clerk.

Executed this the
8th of Jan. 1932

By serving a
copy on J.A.
Ertzinger as Garnishee

M.R. Stuart
Sheriff
By J.B. Wilson
D.C.

Original

No.

RECORDED

Circuit Court of Baldwin County

Arthur Weaver

VS. } GARNISHMENT ON SUMMONS
J.M. Smith, J.A. Ertzinger
as Garnishee

Issued 8th day of January 1932

Beppe T. Hall

Plaintiff's Attorney

BOND

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT.

KNOW ALL MEN BY THESE PRESENTS:

That we, Arthur Weaver U. A. Irwin and
J. K. Page
are held and firmly bound unto
J. M. Smith
in the sum of Two Hundred nine & no/100 DOLLARS,
to be paid to the said J. M. Smith his

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 January 1932

The Condition of the Above Obligation is Such, That whereas, the above bound
Arthur Weaver
has commenced suit in the Circuit Court of said County by summons and complaint, which have
issued from said Court, to recover of said J. M. Smith

the sum of One Hundred Four & 14/100 Dollars,

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

summoning him to answer what he is indebted to said Defendant J. M.

Smith or what effects of said Defendant J. M. Smith he has

in his possession, or under his control; and said Plaintiff having made oath as re-
quired 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.

A. Weaver (Seal)

U. A. Irwin (Seal)

J. K. Page (Seal)

Approved this 8 day of Jan A. D., 1932
T. W. Rieunon, Clerk.

THE STATE OF ALABAMA,
Baldwin County.

Before me, Ida M. Turnbull

Notary Public

in and for said County, personally appeared

Arthur Weaver

who, being duly sworn, doth depose S and say S that J. M. Smith is

indebted to Arthur Weaver
in the sum of One Hundred Four 514/100 DOLLARS
and that he has commenced a suit by summons and complaint on said in-
debtedness against the said J. M. Smith

and that J. A. Erbenger is
supposed to be indebted to the said Defendant J. M. Smith
or to have effects of the said Defendant J. M. Smith
in his possession, or under his control, and that he believes that pro-
cess of Garnishment against the said J. A. Erbenger is
is necessary to obtain satisfaction of said claim: and that the said J. A. Erbenger

is believed to be chargeable as Garnishee in said case,
and that this Writ is not sued out for the purpose of vexing or harassing said Defendant J. M. Smith
or other improper motives.

Sworn to and subscribed before me this 5th day of January 1932

Arthur Weaver
Ida M. Turnbull
Notary Public.

RECORDED
116

NO.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

ARTHUR WEAVER

PLAINTIFF

TO

J. M. SMITH

DEFENDANT

Bond and Affidavit in Garnishment on Summons

Filed This 8th Day of Jan 1932

CLERK

Jan
W. B. Dickerson

ARTHUR WEAVER,

Plaintiff.

-vs-

J. M. SMITH,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Comes the Defendant, J. M. Smith, in the above styled cause, and for answer to the Complaint filed in said cause, and to each and every count thereof, separately and severally, says:-

FIRST:-

That the allegations of the Complaint are untrue.

Hybert Hendon Chason
Attorneys for Defendant.

Defendant demands trial of this cause by Jury.

Hybert Hendon Chason
Attorneys for Defendant.

ARTHUR WEAVER,
Plaintiff,

vs

J. M. SMITH,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

KNOW ALL MEN BY THESE PRESENTS, that we, J. M. SMITH, as principal, and the undersigned as Sureties, are held and firmly bound unto ARTHUR WEAVER, Plaintiff, in the above styled cause in the sum of Two Hundred Eight Dollars and Twenty-Eight Cents (\$208.28), to be paid to the said above named plaintiff, ARTHUR WEAVER, his heirs, executors, administrators or assigns, for which payment well and truly to be made, we bind ourselves, and each of us, our heirs and each of our heirs, executors and administrators, jointly, severally and firmly by these presents.

And for the payment of this bond, and such judgment as may be rendered thereunder, we hereby waive our right to claim personal property as exempt to us under the constitution and laws of the State of Alabama, or any other state in the United States.

Sealed with our seals and dated this the 23^d day of January, 1932.

whereas, on the 4th day of Jan, 1932, the above named plaintiff, ARTHUR WEAVER, procured the issuance of a writ of garnishment out of said court, in the above styled cause, to the garnishee, J. A. ERTZINGER, therein named, for the sum of One Hundred Four Dollars and Fourteen Cents (\$104.14), summoning the said garnishee to appear before the said court and make answer as such garnishee, as required in said writ of garnishment. And, whereas, the said defendant desires to procure the dissolution of the said garnishment.

Now therefore, if the said above bound defendant, J. M. SMITH, shall pay, or cause to be paid, to the said plaintiff, ARTHUR WEAVER, the amount for which the said garnishee, J. A. ERTZINGER, may be found indebted, or liable to the said defendant, together with all the costs in said garnishment proceedings accruing, then this obligation to be null and void; otherwise to remain in full force and effect.

J. M. Smith SEAL.
L. D. Owen SEAL.
R. A. Corbush SEAL.

Taken and approved
by me, this 23rd
day of January, 1932.

J. M. Smith
Clerk of the Circuit Court.