

ANSWER DENYING INDEBTEDNESS

4459

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

RE: H. M. HAMBURG AND SONS, INC.,
A CORPORATION, PLAINTIFF

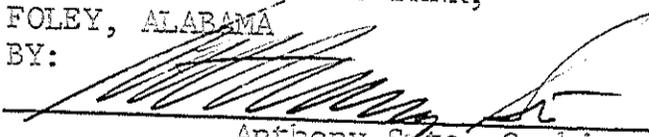
VS: ARTHUR B. CARVER, DEFENDANT

FARMERS & MERCHANTS BANK, FOLEY,
ALABAMA, GARNISHEE

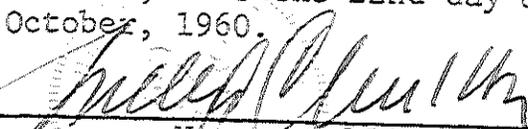
And now on the 22nd day of October, 1960, comes the FARMERS & MERCHANTS BANK, Foley, Alabama, a corporation, by and through ANTHONY SUTE, its cashier who, being duly sworn, deposes and says that he is an officer of FARMERS & MERCHANTS BANK, Foley, Alabama, a corporation, has personal knowledge of the facts herein stated and is authorized to sign this answer to said garnishment and for answer to same says: that at the time of the service of said writ of garnishment, and that at the time of making this answer, said garnishee was not indebted to the said defendant, ARTHUR B. CARVER, in the sum of NINE HUNDRED THIRTY-THREE & 99/100 DOLLARS (\$933.99), that it will not be indebted in future to said defendat by contract then or now existing; that it will not be liable to said defendant 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 prpperty, and garnishee has not in its possession or under its control money or effects belonging to defendant, other than as aforesaid, said account having been closed previous to service of garnishment.

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

FARMERS & MERCHANTS BANK,
FOLEY, ALABAMA
BY:


Anthony Sute, Cashier

Sworn to and subscribed
before me, a Notary Public,
in and for Baldwin County,
Alabama, this the 22nd day of
October, 1960.


Notary Public

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama—Greeting :

Whereas, H. M. HAMBURG AND SONS, INC., a Corporation

has commenced suit by Summons and Complaint returnable to the next term of the Circuit Court of said
County, against ARTHUR B. CARVER

for the sum of Nine Hundred Thirty Three and 99/100 Dollars and whereas, the said
H. M. Hamburg and Sons, Inc., a Corporation

has entered into bond, and made affidavit as required by law that the said Arthur B. Carver

is indebted to them in the sum of \$933.99

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 Farmers and Merchants Bank of
Foley, Alabama

_____ is believed to be chargeable as garnishee in the cause.

YOU ARE THEREFORE, commanded to summon the said The Farmers and Merchants
Bank of Foley, Alabama

_____ to be and appear at the November term of the Circuit Court, to
be holden for the County of Baldwin, on Thirty days from date 1960,
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 21 day of October, 1960

Reese J. Couch
Clerk.

No. 4459

Circuit Court of Baldwin County

H. M. HAMBURG AND SONS,
INC., a Corporation,

VS. } GARNISHMENT ON SUMMONS

Arthur B. Carver
and

The Farmers and Merchants Bank
of Foley, Ala.

Issued _____ day of _____ 19__

Plaintiff's Attorney

Received 21 day of Oct 1960
and on 52 day of Nov 1961
I served a copy of the within terminal
on The Farmers & Merchants
Bank of Foley
By service on W. S. Smith J.P.

COURT COSTS

9:20 AM

TAYLOR WILKINS, Sheriff
[Signature]

Sheriff claims 22 miles at
Ten Cents per mile Total \$ 2.20
TAYLOR WILKINS, Sheriff

State of Alabama

BALDWIN COUNTY

TO Arthur B. Carver, Defendant

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of H. M. Hamburg and Sons, Inc., a corporation, Plaintiff, versus Arthur B. Carver, Defendant

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

Baldwin Oil Company

has been named as Garnishee

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

day of November, 1946

Handwritten signature of Alice J. Luck and printed name Clerk of the Circuit Court.

4459
NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

Baldwin Oil Company

Arthur B. Carver

Plaintiff.....

VS.

H. M. Hamburg and Sons, Inc.,

a corporation

Defendant.....

FILED
NOV 1 1960

ALICE J. DUCK, Clerk

received 1 day of Nov 1960
and on 1 day of Dec 1960
I served a copy of the within Notice
on Arthur B. Carver

By service on _____

TAYLOR WILKINS Sheriff

By Arlisle [Signature]

[Signature]

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20

TAYLOR WILKINS, Sheriff

BY [Signature]
DEPUTY SHERIFF

State of Alabama
BALDWIN COUNTY

TO Arthur B. Carver, Defendant.....

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

H. M. Hamburg and Sons, Inc., a Corporation, Plaintiff.....

versus Arthur B. Carver, Defendant.....

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which.....
The State Bank of Elberta and
The Farmers and Merchants Bank of Foley, Alabama

has been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 21.....

day of October, 1960.....

W. J. French
Clerk of the Circuit Court.

Sheriff claims 22 miles at
Ten Cents per mile Total \$ 2.20
TAYLOR WILKINS, Sheriff

DEPUTY SHERIFF

TAYLOR WILKINS
Sheriff
D.S.

Received 21 day of Oct
and on 21 day of Oct
I served a copy of the within Writ to deft
on Arthur B. Carver

Returned 27 day of Oct
Not found in the county after diligent
search
W. H. ...
Deputy She

4454

NOTICE
TO DEFENDANT OF GARNISHMENT

BY
CLERK OF CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

TO
State Bank of Elberta
The Farmers and Merchants
Bank of Foley, Alabama
H. M. Hamburg and Sons, Inc.,
a Corporation
Plaintiff

VS.
Arthur B. Carver

Defendant

No. 4454

Circuit Court of Baldwin County

H. M. HAMBURG AND SONS, INC.,
A Corporation

VS. } GARNISHMENT ON SUMMONS

Arthur B. Carver
and

The State Bank of Elberta

Issued ----- day of ----- 19 --

Plaintiff's Attorney

Received 21 day of Oct 1960
and on 22 day of Oct 1960

I served a copy of the within Garnishment
on The State Bank of Elberta

By service on John G. Haupt VP

TAYLOR WILKINS, Sheriff
Taylor Wilkins
U.S.

Sheriff claims 84 miles at
Ten Cents per mile Total \$ 8.40
TAYLOR WILKINS

DEPUTY SHERIFF

9:00 AM

Elberta

No. 4429

Circuit Court of Baldwin County

H. M. Hamburg and Sons, Inc.,
a Corporation,
Plaintiff

VS. { **GARNISHMENT ON SUMMONS**

Baldwin Oil Company
for
Arthur B. Carver,
Defendant

Issued 1 day of Nov. 1960

FILED
NOV 1 1960
ALICE J. DUCK, Clerk

Plaintiff's Attorney

Received 1 day of Nov. 1960

and on 3 day of Nov. 1960

I served a copy of the within at

on Baldwin Oil Co.

By service on E. E. Purvis, Jr.

E. E. Purvis, Jr.

TAYLOR WILKINS, Sheriff

By [Signature] D. S.

[Signature]

Sheriff claims 72 miles at

Ten Cents per mile Total \$ 7.20

TAYLOR WILKINS, Sheriff

By [Signature]

DEPUTY SHERIFF

2 1 0

BOND

The State of Alabama, }
Baldwin County

CIRCUIT COURT

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, H. M. Hamburg and Sons, Inc., a Corporation,

are held and firmly bound unto Arthur B. Carver

in the sum of One Thousand Eight Hundred Sixty Seven and 98/100 DOLLARS,

to be paid to the said Arthur B. Carver

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 21 day of October, 1960

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

H. M. Hamburg and Sons, Inc, a Corporation

has commenced suit in the Circuit Court of said County by summons and complaint, which have issued from said Court, to recover of said Arthur B. Carver

the sum of Nine Hundred Thirty Three and 99/100 Dollars,

and has on the day of the date hereof, prayed that Writ of Garnishment issue out of said Court to State Bank of Elberta and Farmers and Merchants Bank of Foley, Alabama

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. M. Hamburg

H. M. Hamburg & Sons (Seal)

by H. M. Hamburg (Seal)

(Seal)

Approved this 21 day of October, A. D., 1960

Cliff J. ... Clerk.

The State of Alabama }
Baldwin County

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

in and for said County, personally appeared Ernest M. Bailey
Attorney for H. M. Hamburg and Sons, Inc., a Corporation

who, being duly sworn, doth depose and say that
Arthur B. Carver

is

indebted to them in the sum of \$933.99 Dollars,
and that they have commenced on suit by summons and complaint on said indebtedness
against the said ~~The Farmers and Merchants Bank of Foley, Alabama~~

Arthur B. Carver

and that ~~The Farmers and Merchants Bank of Foley, Alabama and State~~
Bank of Elberta is

supposed to be indebted to the said Defendant, or to have effects of the said Defendant, in its
possession, or under its control, and that they believe that process of Garnishment against the said
~~The State Bank of Elberta and~~
The Farmers and Merchants Bank of Foley, Alabama

State Bank of Elberta and
is necessary to obtain satisfaction of said claim; and that the said ~~Farmers & Merchants Bank of~~ Foley,
is believed to be chargeable as Garnishee in said cause; and that this Writ is not sued out for the purpose Alabama
of vexing or harassing said Defendant, or other improper motives.

Ernest M. Bailey

Sworn to and subscribed before me this _____ day of October 19 60
_____, Clerk Circuit Court.

116

No. H. A. 59

THE STATE OF ALABAMA
Baldwin County.

CIRCUIT COURT

H. M. Hamburg and Sons, Inc.
a Corporation

Plaintiff.

TO

Arthur B. Carver

Defendant.

Bond and Affidavit in Garnishment
on Summons

Filed this _____ day of _____, 19 _____

Clerk.

ALICE J. DUCK, CLERK
RECORDED

Printed by Moore Pig. Co.

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Arthur B. Carver to appear and answer, plead or demur, within thirty days from the service hereof, to a Bill of Complaint filed against him in the Circuit Court of Baldwin County, Alabama, at Law, by H. M. HAMBURG & SONS, INC., a corporation, as Complainant, against Arthur B. Carver, as Defendant.

Witness my hand this the 21 day of October, 1960.

W. J. ...
REGISTER

H. M. HAMBURG & SONS, INC.,
a Corporation,

Plaintiff

vs.

ARTHUR B. CARVER,

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

COUNT ONE

Plaintiff claims of the Defendant the sum of Nine Hundred Thirty-three and 99/100 (\$933.99) Dollars with interest thereon, due from the Defendant by promissory note executed by him on, to-wit, December 29, 1958, in the principal amount of \$933.99, due and payable on, to-wit, December 30, 1959; that the Defendant defaulted in the payment of said note on, to-wit, December 30, 1959, and under the terms of said note the entire outstanding balance, to-wit, the sum of Nine Hundred Thirty-three and 99/100 (\$933.99) Dollars became immediately due and payable; that under the terms of said note the Defendant agreed to pay interest at the rate of 8% per cent per annum on the said unpaid balance and the Plaintiff further claims interest on the said unpaid balance, to-wit, the sum of \$933.99, at the rate of 8% per annum from said date of default; that under the terms of said note the Defendant agreed to pay all cost of collection and the Plaintiff further claims an attorney's fee in the amount of 20% of the said unpaid balance, to-wit, \$933.99; that under the terms of said note the Defendant waived all exemptions under the laws of any state and Plaintiff respectfully claims benefit from said waiver.

W. J. ...
ATTORNEY FOR PLAINTIFF

FILED
OCT 21 1960

4459

H. M. HAMBURG AND SONS, INC.,
a Corporation,

Plaintiff

vs.

ARTHUR B. CARVER,

Defendant

SUMMONS AND COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

Defendant resides in

Foley, Alabama

FILED

OCT 21 1960

ALICE J. DUCK, CLERK
REGISTER

Received 21 day of Oct 1960
and on 1 day of Nov 1960
I served a copy of the within S + C
on Arthur B. Carver

By service on

TAYLOR WILKINS, Sheriff
By [Signature] D. S.

Returned 22 day of Oct 1960
Not found in my county after diligent
inquiry

By [Signature] Deputy

Sheriff claims 72 miles at

Ten Cents per mile Total \$ 7.20

TAYLOR WILKINS, Sheriff
BY [Signature] DEPUTY SHERIFF