

MRS. W. F. GILMORE, Ind.,
and d/b/a Fairhope Grocery

Plaintiff

-VS-

WILLIE K. SMITH

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

4679

COUNT ONE

Plaintiff claims of the Defendant the sum of two-hundred eleven and 34/100 (\$211.34) Dollars, due by promissory note made by him on the 26th day of October, 1953 and payable on the 26th day of December, 1955, which sum of money with the interest thereon is still due and unpaid.

Plaintiff further avers that in and by the terms of said note, the Defendant agreed to pay all costs of collection whether secured by suit or otherwise and Plaintiff claims the further and additional sum of fifty (\$50.00) dollars as an attorney's fee.

Plaintiff further avers that in and by the terms of said note, the Defendant waived all rights of exemption under the Constitution and Laws of Alabama as to personal property, and as to this waiver, Plaintiff now claims the benefit.

COUNT TWO

Plaintiff claims of the defendant the sum of two hundred eleven and 34/100 (\$211.34) dollars due from him by account from on to-wit the 26th day of October, 1953 until on to-wit the 16th day of December, 1958 which sum of money with the interest thereon is still unpaid.

COUNT THREE

Plaintiff claims of the defendant the sum of two hundred eleven and 34/100 (\$211.34) dollars, on account stated between the plaintiff and the defendant on the 16th day of December, 1958, which sum of money with the interest thereon is still unpaid.


Attorney for Plaintiff

Defendant may be served at
Joe Schneider's Bulldozing Co.
Fairhope, Alabama

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

Circuit Court, Baldwin County

No.

-----TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Willie K. Smith

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 Willie K. Smith

-----, Defendant---

by Mrs. W. F. Gilmore, Ind. and d/b/a Fairhope Grocery

-----, Plaintiff---

Witness my hand this 12 day of Apr 1964

Becky Duck, Clerk

No. 4679

Page _____

The State of Alabama

Baldwin County

CIRCUIT COURT

Mrs. W. F. Gilmore, Ind., and

d/b/a Fairhope Grocery

Plaintiffs

vs.

Willie K. Smith

Defendants

Summons and Complaint

Filed

FILED

19

APR 12 1961

Clerk

ALICE J. DUCK, CLERK
REGISTER

John V. Duck

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Defendant may be served at
Joe Schneiders Bulldozing Co
Fairhope, Alabama
Received In Office

4/12 1961

_____, Sheriff

I have executed this summons

this

5-8

1961

by leaving a copy with

Willie K. Smith

Sheriff claims

20

miles at

Ten Cents per mile Total \$

2.00

TAYLOR WILKINS, Sheriff

BY

E.S.

DEPUTY SHERIFF

Taylor Wilkins

Sheriff

Edleigh Steadman

Deputy Sheriff

Fairhope, Ala

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 MRS. C. S. GILMORE

who being duly sworn, on oath says, that a regular JULY Term
of the Circuit Court of Baldwin County, to-wit: on the 26th day of JULY
1961, Mrs. C. S. Gilmore, Ind., and d/b/a Fairhope Grocery
recovered a judgment against WILLIE K. SMITH

for the sum of
Two Hundred sixty-four dollars and 34/100 (\$264.34) Dollars
besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that
Prince E. Griffin, Ind., and d/b/a Griffin Standard Station

supposed to be indebted to or have effects of the said WILLIE K. SMITH
in his possession, or under his control, and that he believes process of
Garnishment against said Prince E. Griffin
is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 16th
day of October A. D. 1961
Alice J. Duck
Clerk.

Mrs. C. S. Gilmore
Mrs. C. S. Gilmore

JOHN V. DUCK

ATTORNEY AT LAW

FAIRHOPE, ALABAMA

June 8, 1962

4679 1/2

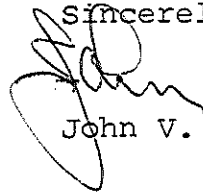
Mrs. Alice J. Duck
Clerk, Circuit Court
Post Office Box 239
Bay Minette, Alabama

Inre: Fairhope Grocery V.
Willie K. Smith
Civil Case No. 4679 1/2

Dear Mrs. Duck:

Would you please request the judge to enter non-suit in the above styled case and send the cost bill to me since this now is paying on the garnishment.

Sincerely yours,



John V. Duck

JVD/ems

Garnishment on Judgment.

The State of Alabama,
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

JULY

TERM, 1961

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular July Term, 1961, of the Circuit Court of Baldwin County,
to-wit: On the 26th day of July, 1961, being a regular day of
said term, Mrs. C. S. Gilmore, Ind., and d/b/a Fairhope Grocery
recovered judgment against WILLIE K. SMITH

for the sum of \$264.34 Dollars, and cost of suit,
and affidavit having been made by Mrs. C. S. Gilmore
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the
following named persons or corporations, viz:

Prince E. Griffin, Ind., and d/b/a Griffin Standard Station

has or is believed to have in his possession, or under his control money
or effects belonging to said defendant or that his is, or
is 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 Prince E. Griffin, Ind.,
and d/b/a Griffin Standard Station

to be and appear before the honorable Judge of the Circuit Court for Baldwin County, at the Court House
thereof, in the city of Bay Minette, on the Monday in October, A. D. 1961,
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 defendant
and whether he will not be indebted in future to said defendant
by a contract then existing, and whether by a contract then existing
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 or
effects belonging to the defendant WILLIE K. SMITH

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

Witness, ALICE J. DUCK, Clerk of said Court, this 18 day of Oct, A. D., 1961

Issued 18 day of Oct, A. D., 1961.

ATTEST:

Alice J. Duck, Clerk.

64-10-24-61

267

Sheriff claims _____ miles at
Ten Cents per mile Total \$ 7.00
TAYLOR WILKINS, Sheriff
BY [Signature]
DEPUTY SHERIFF

Received _____ day of _____ 19____
and on 24 day of Oct 1941
I served a copy of the within _____
on Mr. Prince Griffin
Owner
By service on _____

TAYLOR WILKINS, Sheriff
By W. L. Fairhope

Circuit Court, Baldwin County

No. 4679 1/2

Mrs. A. S. Bulmore
d/b/a
Fairhope Grocery
VS. } Garnishment On Judgment

Willie K. Smith

Issued _____ day of _____ 19____

Returnable _____ day of _____ 19____

Attorney

Printed by Moore Prg. Co.

To be served on
Prince E. Griffin (7th)

State of Alabama

BALDWIN COUNTY

TO WILLIE K. SMITH, Defendant:

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

MRS. C. S. GILMORE, IND., AND D/B/A FAIRHOPE GROCERY, Plaintiff,

versus WILLIE K. SMITH, Defendant,

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

PRINCE E. GRIFFIN, Ind., and d/b/a Griffin Standard Station

has been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 18

day of Oct, 1941.

Clerk of the Circuit Court.

266

Exp. 10-24-61

Received day of 19
and on 24 day of Oct 1961

I served a copy of the within

on Willie K. Smith

Sheriff claims 20
Ten Cents per mile

Total \$ 2.00
TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF

By service on

TAYLOR WILKINS, Sheriff

By W.O. Barnes

Thope

NOTICE
TO DEFENDANT OF GARNISHMENT

BY
CLERK OF CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

TO

Mrs. C. S. Kumor

4/6/61
Fairhope Grocery

Plaintiff.....

VS.

Willie K. Smith

Defendant.....

BANK OF FAIRHOPE

\$273.54

FAIRHOPE, ALA., October 26

19 53

after date, without grace, I or We promise to pay to the order of ~~BANK OF FAIRHOPE~~ Fairhope Grocery and Market

Two Hundred Seventy Three and 54/100 DOLLARS

For value received. Payable at the ~~BANK OF FAIRHOPE~~ Fairhope, Alabama.

That each of this instrument, whether maker, endorser, surety or guarantor, each for himself hereby severally agrees to pay this note and waives as to this debt, all right to exemption under the constitution and laws of Alabama, or any other state, as to personal property and they each severally waives all costs of collecting, or securing, or attempting to collect or secure this note, including a reasonable attorney's fee, whether the same be collected or otherwise. And the maker, endorser, surety or guarantor of this note severally waives demand, presentment, protest, notice of protest, suit and all other requirements necessary to hold them, and they agree that time of payment may be extended without notice to them of such extension. The bank in which this note is payable is hereby authorized to apply on or after maturity, to the payment of this debt any funds in said bank belonging to the maker, endorser, guarantor, or any one of them.

Witness _____ hand _____ and seal _____ this, the _____ day of _____, 19 _____

ATTEST _____

Willie K. Smith
Willie K. Smith

(Seal)

(Seal)

Date

195

6

Mrs. W. K. Smith

No.

Reg. No.

Clerk

ACCOUNT
FORWARDED

270 54

300

267 54

2

3

4

5

6

7

8

9

10

11

12

13

14

15

13

Your Account Stated to Date -- If Error Is Found Return at Once

Date

195

9

Mrs. W. K. Smith

No.

Reg. No.

Clerk

ACCOUNT
FORWARDED

221 54

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

Paid

9/27/59

500

Paid

12/16/8

500

216 54

Thank you

Mrs. Pope

our account stated to date. If error is found return at once

Date 3/9 1956
Mr. W. H. Smith,

No.

Reg. No.	Clerk	ACCOUNT FORWARD
1	Pd.	267.54
2		3.00
3		264.54
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14	46	
15		

Your Account Stated to Date — If Error Is Found Return at Once

Date 2/24 1956
Mr. W. H. Smith

No.

Reg. No.	Clerk	ACCOUNT FORWARD
1	Pd.	273.54
2		3.00
3		270.54
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

Your Account Stated to Date — If Error Is Found Return at Once

Date 10/26 1956
M Mrs W K Smith

No. _____

Reg. No.	Clerk	ACCOUNT FORWARDED
1		248.54
2	PA -	3.00
3		
4		245.54
5		
6		
7		
8		
9		
10		
11		
12		
13		
14	49	
15		

Your account stated to date. If error is found return at once.

Date 4/12 1956
M Mrs W. K. Smith

No. _____

Reg. No.	Clerk	ACCOUNT FORWARDED
1	PA -	6.00
2		
3		258.54
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14	17	
15		

Your account stated to date. If error is found return at once.

Date 9/1 1956
 M Mrs W. K. Smith
 No. _____

Reg. No.	Clerk	ACCOUNT FORWARDED
1		254.34
2	<u>Od -</u>	3.00
3		<u>257.34</u>
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14	<u>49</u>	
15		

Your account stated to date. If error is found return at once.

Date 10/30 1956
 M Mrs W. K. Smith
 No. _____

Reg. No.	Clerk	ACCOUNT FORWARD
1	<u>Paid</u>	3.00
2		<u>248.34</u>
3		
4		
5		
6		
7	<u>I thank you</u>	
8	<u>Hope</u>	
9		
10		
11		
12		
13		
14	<u>31</u>	
15		

Your Account Stated to Date — If Error Is Found Return at Once

Date 11/13 1956
 Mrs. W. K. Smith
 No. _____

Reg. No.	Clerk	ACCOUNT FORWARDED
1	<u>Ad -</u>	<u>24554</u>
2		<u>300</u>
3		<u>24254</u>
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

*Thank you
 Mrs. Pope.*

Your Account Stated to Date — If Error Is Found Return at Once

Date 5/21 1956
 Mrs. W. K. Smith
 No. _____

Reg. No.	Clerk	ACCOUNT FORWARDED
1	<u>Ad -</u>	<u>25254</u>
2		<u>400</u>
3		<u>25454</u>
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

Thank you

10

Your account stated to-date. If error is found return at once.

Date 10/3 1956
M Mrs. W. K. Smith

No. _____

Reg. No.	Clerk	ACCOUNT FORWARDED
1	<u>Qd.</u>	<u>23954</u> <u>300</u>
2		
3		<u>23654</u>
4		
5		
6		
7	<u>Thank you</u> <u>Mrs. Lopez</u>	
8		
9		
10		
11		
12		
13		
14		<u>18</u>
15		

Your account stated to date. If error is found return at once.

Date 11/16 1956
M Mrs. W. K. Smith

No. _____

Reg. No.	Clerk	ACCOUNT FORWARD
1	<u>Qd.</u>	<u>24254</u> <u>300</u>
2		
3		<u>23954</u>
4		
5		<u>1</u>
6		
7		
8		
9		
10		
11		
12		
13		
14		<u>15</u>
15		

Your Account Stated to Date — If Error Is Found Return at Once

Date 1/18 1957
 M Mrs W K Smith
 No. _____

Reg. No.	Clerk	ACCOUNT FORWARDED	
1	<u>PA -</u>	<u>230.54</u>	<u>300</u>
2			
3			<u>227.54</u>
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			<u>40</u>
14			
15			

Your account stated to date. If error is found return at once.

Date 12/13 1956
 M Mrs E W K Smith
 No. _____

Reg. No.	Clerk	ACCOUNT FORWARDED	
1	<u>PA -</u>	<u>236.54</u>	<u>300</u>
2			
3			<u>233.54</u>
4			
5			
6			<u>Thank again</u>
7			<u>Very much</u>
8			<u>Mrs Pope</u>
9			
10			
11			
12			
13			
14			<u>34</u>
15			

Your Account Stated to Date — If Error Is Found Return at Once

Date 2/5 1957
M Mrs. W. R. Smith
No. _____
Reg. No. _____ Clerk _____ ACCOUNT FORWARDED 22754
1 Pd. 300
2 _____
3 22454
4 _____
5 _____
6 _____
7 _____
8 Thank you
9 Mrs. Pope
10 _____
11 _____
12 _____
13 13
14 _____
15 _____
Your account stated to date. If error is found return at once.

Date 2/29 1956
M Mrs. W. R. Smith
No. _____
Reg. No. _____ Clerk _____ ACCOUNT FORWARDED 23354
1 Pd. 300
2 _____
3 23054
4 _____
5 _____
6 _____
7 Thank you
8 Mrs. Pope
9 _____
10 _____
11 _____
12 _____
13 37
14 _____
15 _____
Your account stated to date. If error is found return at once.

Date 3/11 1957
M Mrs. W. R. Smith
No. _____
Reg. No. _____ Clerk _____ ACCOUNT FORWARDED 22454
1 Pd. 300
2 _____
3 22154
4 _____
5 _____
6 Thank you
7 Mrs. Pope
8 _____
9 _____
10 _____
11 _____
12 _____
13 9
14 _____
15 _____
Your account stated to date. If error is found return at once.