

4998

T. J. KLUMPP, SR.,

Plaintiff,

-vs-

M. R. HAMMONTREE,

Defendant.

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

C O M P L A I N T

COUNT I

The Plaintiff claims of the Defendant the sum of FOUR THOUSAND THREE HUNDRED FORTY EIGHT AND 08/100 (\$4,348.08) DOLLARS due by promissory note made by him on, to-wit, the 1st day of February, 1961, for the sum of FIVE THOUSAND DOLLARS (\$5,000.00) and reduced by payments to FOUR THOUSAND THREE HUNDRED FORTY EIGHT AND 08/100 (\$4,348.08) DOLLARS on the 29th day of September, 1961, and payable at the rate of FIFTY DOLLARS (\$50.00) per week until paid in full, with interest at seven percent (7%) per annum; and the Plaintiff avers that the Defendant defaulted in the payment of said note by only paying EIGHT HUNDRED FIFTY DOLLARS (\$850.00) on said note since it was made, wherefore Plaintiff sues for the sum above mentioned, with interest thereon at the rate of seven percent (7%) per annum from the 29th day of September, 1961.

COUNT II


The Plaintiff claims of the Defendant the sum of ONE THOUSAND SIX AND 67/100 (\$1,006.67) DOLLARS due by promissory note made by the Defendant to the Bank of Fairhope on, to-wit, the 17th day of August, 1961, and payable on, to-wit, the 17th day of October, 1961, with interest thereon since maturity, which note was assigned to the Plaintiff, wherefore Plaintiff sues for the sum above mentioned, with interest thereon at six percent (6%) from maturity.

Complaint--Klumpp vs. Hammontree, cont'd:

COUNT III

The Plaintiff claims of the Defendant the sum of EIGHT HUNDRED ONE AND 60/100 (\$801.60) DOLLARS for that in the notes above sued on the Defendant, as part of the consideration in said notes, agreed to pay all costs of collection, including a reasonable attorney's fee and that the sum of EIGHT HUNDRED ONE AND 60/100 (\$801.60) DOLLARS above claimed is a reasonable attorney's fee for the collection of said notes;

And that the Defendant, as a further consideration for said loan, waived as to these debts all rights to exemption as to personal property granted him under the Constitution and laws of the State of Alabama, which waiver of exemption the Plaintiff also claims.


E. G. Rickarby, Attorney for the Plaintiff.

FILED
JAN 17 1962
ALICE J. DICK, CLERK
REGISTER

SUMMONS AND COMPLAINT

Baldwin Times

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 M. R. HAMMONTREE

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 _____

M. R. HAMMONTREE

, Defendant _____

by

T. J. KLUMPP, SR.

_____, Plaintiff _____

Witness my hand this

17

day of

January

1962

E. A. 1-25-62

Aricef. Duck

Clerk

No. 4998

Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

T. J. KLUMPP, SR.

Plaintiffs

vs.

M. R. HAMMONTREE

Defendants

SUMMONS and COMPLAINT

Filed

FILED

, 19

JAN 17 1962

, Clerk

**ALICE J. DUCK, CLERK
REGISTER**

**E. G. Rickarby
Attorney at Law
P. O. Box 71
Fairhope, Alabama**

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Point Clear, Alabama

**works at Sherman's Dairy, Summer-
dale, Ala. RECEIVED IN OFFICE**

1/17, 1962

Sheriff

I have executed this summons

this

, 1962

by leaving a copy with

M. R. Hammontree

Sheriff claims

miles at

Ten Cents per mile Total \$

TAYLOR/WILKINS, Sheriff

BY

DEPUTY SHERIFF

Sheriff

Deputy Sheriff

VICKERS, RIIS, MURRAY AND CURRAN

ATTORNEYS AT LAW

MERCHANTS NATIONAL BANK BUILDING

MOBILE, ALABAMA

MARION R. VICKERS
ERLING RIIS, JR.
J. MANSON MURRAY
EDWIN J. CURRAN, JR.
MARION R. VICKERS, JR.

August 30, 1963

MAILING ADDRESS:
P.O. BOX 990-36601
PHONE 432-9772

Mrs. Alice J. Duck
Clerk
Circuit Court of Baldwin County
Baldwin County Court House
Bay Minette, Alabama

Re: T. J. Klumpp, Sr. vs M. R. Hammontree

Dear Mrs. Duck:

The captioned suit was filed by Mr. E. G. Rickarby on behalf of T. J. Klumpp, Sr., prior to Mr. Klumpp's death. We represent The Merchants National Bank of Mobile, as Executor under the will of T. J. Klumpp, Sr., deceased, and on the advice of Mr. Rickarby and with his consent, we hereby request, on behalf of said Executor, that the captioned suit be non-suited at the request of the plaintiff.

For your information, the Executor has been instructed to pay the cost bill in the amount of \$33.50 in this suit, and I am certain this bill will be paid within the next few days if it has not already been paid.

Should you require anything in addition to this letter as a condition to the entry of the non-suit, please let me know.

Yours very truly,

VICKERS, RIIS, MURRAY AND CURRAN


Edwin J. Curran, Jr.

EJC/bm

cc: Mr. E. G. Rickarby
Mr. Garet Aldridge
Mr. T. J. Klumpp, Jr.
Mr. G. B. Klumpp

E. G. RICKARBY

392 FAIRHOPE AVENUE

FAIRHOPE, ALABAMA

January 13, 1962

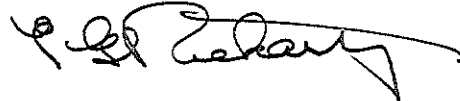
Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Re: T. J. Klumpp, Sr.
Vs: M. R. Hammontree
Our File #5668

With this we are handing you summons and complaint
in the above mentioned matter. Please process,
turn the enclosed letter over to the sheriff and
oblige.

Yours very truly,



EGR/wr
Enclosures
cc: Mr. Klumpp