

SUMMONS

THE STATE OF ALABAMA,)

BALDWIN COUNTY.)

3370

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon MAC MUZIK to appear before the Circuit Court of Baldwin County, Alabama, at the place of holding the same, within thirty days from the service of this summons and complaint, then and there to demur to or plead to the complaint of the FARMERS & MERCHANTS BANK, Foley, Alabama.

You are hereby commanded to execute this process instantler and make return as required by law.

Witness my hand this the 29 day of October, 1957.

Alice J. Luck
Clerk

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COMPLAINT

FARMERS & MERCHANTS BANK,
FOLEY, ALABAMA,

PLAINTIFF

IN THE CIRCUIT COURT OF

VS:

BALDWIN COUNTY, ALABAMA

MAC MUZIK,

AT LAW

DEFENDANT

The plaintiff claims of the defendant the following described personal property, to wit:

One (1) 1954 Model Plymouth 2 door Sedan, Motor No.20540156;
Serial No. P24-90923;

with the value of the use thereof from, to wit: the 7th day of August, 1957.

Filed Oct. 28, 1957

Alice J. Luck
clerk

Executed Nov. 16, 1957

James C. Christy
Attorney for Plaintiff

ed copy of the within *Detains s/c*
Mac Muzik
By service on _____

TAYLOR WILKINS, Sheriff

By *Ed Hugh Steadham*

Silverhill, Ala

Sheriff claims 60 miles at

Ten Cents per mile Total \$ 6.00

TAYLOR WILKINS, Sheriff

BY *Steadham*
DEPUTY SHERIFF

SUMMONS AND COMPLAINT

FARMERS & MERCHANTS BANK
FOLEY, ALABAMA

PLAINTIFF

VS:

MAC MUZIK,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

FILED

OCT 28 1957

ALICE J. BUCK, Clerk

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

AFFIDAVIT

FARMERS & MERCHANTS BANK,
FOLEY, ALABAMA,

PLAINTIFF

VS:

MAC MUZIK,

DEFENDANT

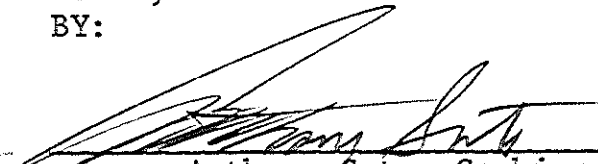
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA


AT LAW

Before me, Forest A. Christian, a Notary Public in and for said County and State, personally appeared Anthony Sute, Cashier of the Farmers & Merchants Bank of Foley, Alabama, who, being duly sworn, deposeth and saith, That the property sued for in the complaint of FARMERS & MERCHANTS BANK, FOLEY, ALABAMA, vs; MAC MUZIK, belongs to the FARMERS & MERCHANTS BANK, the said plaintiff.

FARMERS & MERCHANTS BANK
FOLEY, ALABAMA
BY:


Anthony Sute, Cashier

Sworn to and subscribed before
me, this the 26th day of October,
1957.


Notary Public

BOND

THE STATE OF ALABAMA,)

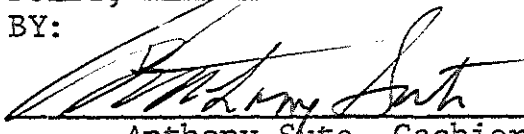
BALDWIN COUNTY.)

KNOW ALL MEN BY THESE PRESENTS, That the FARMERS & MERCHANTS BANK of Foley, Alabama, is held and firmly bound unto MAC MUZIK in the sum of TWENTY_FIVE & 00/100 DOLLARS (\$25.00), to be paid to the said MAC MUZIK, her heirs, executors, administrators or assigns, for which payment, well and truly to be made, we bind ourselves, and each of us, and our and each of our heirs, executors and administrators, jointly and severally and firmly, by these presents, Sealed with our seals and dated this the 26th day of October, 1957.

The condition of the above obligation is such, that whereas the above bound FARMERS & MERCHANTS BANK of Foley, Alabama, on the day of the date hereof hath obtained at the suit of FARMERS & MERCHANTS BANK of Foley, Alabama, vs: MAC MUZIK, a summons and complaint for the recovery of personal property in specie against said defendant and asks an endorsement by the Clerk of this Court "That the Sheriff is required to take the property mentioned in said complaint into his possession", as required by law in such cases, which summons and complaint are returnable to the next term of the Circuit Court of Baldwin County, Alabama, and which said endorsement is made upon the plaintiff entering into this bond.

Now, if the said plaintiff shall fail in this suit, and shall pay the defendant all such costs and damages as he may sustain by reason of the wrongful complaint of said case, then this obligation to be void, otherwise to remain in full force and effect.

FARMERS & MERCHANTS BANK
FOLEY, ALABAMA
BY:

 (SEAL)
Anthony Sute, Cashier

Approved this the 28
day of October, 1957.


Clerk

AFFIDAVIT


THE STATE OF ALABAMA,)

BALDWIN COUNTY.)

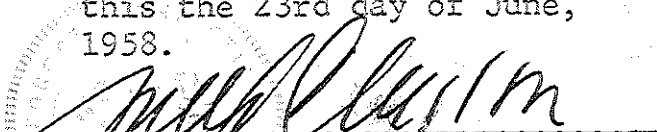
ANTHONY SUTE, first being duly sworn, deposes and says as follows:

My name is Anthony Sute and I am Cashier of the Farmers & Merchants Bank at Foley, Alabama, who is the plaintiff in the case in Circuit Court of Baldwin County, Alabama vs. Mac Muzik which is a suit in detinue, for One (1) 1954 Model Plymouth 2 door Sedan, Motor No. 20540156; Serial No. P24-90923; with the value of the use thereof from, to wit: the 13th day of August, 1957. The sheriff can not locate this automobile which was mortgaged to the Farmers & Merchants Bank at Foley, Alabama by a chattle mortgage note dated December 7, 1956 which note is recorded in Deed Book 271, Page 259. There is a balance due on the note in the amount of \$374.82. Said note provides for a reasonable attorney's fee which plaintiff alleges to be \$75.00. Although value of said automobile and damages for detention thereof exceeds the principal amount due on the note of \$374.82 plus \$25.00 interest, plus \$75.00 attorney's fee for a total of \$474.82, the Farmers & Merchants Bank of Foley, Alabama claims only this amount as damages in lieu of full value of the automobile.

Therefore, I, Anthonty Sute, Cashier of the Farmers & Merchants Bank, Foley, Alabama, do hereby declare that the value of property and damages for taking and detention of property is \$474.82.


Affiant

Subscribed to and before
this the 23rd day of June,
1958.


Notary Public