

TOTAL INDEBTEDNESS-  
(TO BE WRITTEN IN WORDS)

## NOTE

A default in the payment of any installment or any part of the installment shall at the option of the holder, assignee or any subsequent holder and without notice or demand render the entire unpaid balance due and payable and acceptance of payment after default shall not constitute a waiver of such default. Extension of the time of payment of all or any part of the amount owing on this Note at any time or times shall not affect the liability of any party to the Note or surety or guarantor. Sureties or guarantors and all parties to this Note, severally waive demand and presentment of payment, notice of non-payment and notice of protest of this Note. Sunday and holiday due dates are extended to the next business day. Payment in advance may be made in any amount at any time. Payments when made shall be applied first to charges computed in full to date thereof and the remainder to principal. Charges shall be computed upon unpaid principal balances and upon the basis of the number of days actually elapsed and for the purpose of such computation one month shall be that period of time from any date in a month to a corresponding date in the next month and if there is no such corresponding date, then to the next day of the next month and a day shall be considered one-thirtieth (1/30) of a month when computation is made for a fraction of a month.

All parties hereto severally waive demand and presentment for payment, notice of non-payment, notice of protest and protest of this Note and agree that their liability hereunder shall not be affected by any extension of the date of payment of all or any part of the amount owing hereon at any time or times and further waive all rights of exemption under the laws of this or any other state. The caption hereof is a part of this Note.

The undersigned hereby acknowledges receipt of a Loan Statement as is required by Section 15(a) of the Alabama Small Loan Act. This Note is made pursuant to the provisions of said Act and subject to all the terms and provisions thereof and notwithstanding any language used herein shall not be construed to contract for or charge a greater amount than allowed by said Act and any overcharge made under such provision shall be adjusted upon final payment.

### Affirmation of Licensee Regarding Loan (Witness)

(Witness)

Ala.—Note (SL)

August 28, 1967

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

RE: G.A.C. Finance Corp., a Corp.  
VS  
Richard Byrd and Linda Byrd  
Case No. 57951

Dear Mrs. Duck,

As provided by Act No. 76, Acts of Alabama, 1961, I am enclosing the following papers in the above styled case:

No. 1	Complaint and Summons
No. 2	Sheriff's Return on Complaint and Summons
No. 3	Plea in Abatement
No. 4	Certified Copy of Docket Sheet
No. 5	Cost Bill
No. 6	Notice of Transfer

Will you please acknowledge receipt of the above papers on the bottom of the letter and return to me in the enclosed self-addressed, stamped envelope.

Thank you for your cooperation.

Yours very truly,

*J. D. Richardson*  
J. D. Richardson, Clerk

All papers in this cause received in The Circuit Court of Baldwin County, Alabama, this the 29 day of Aug, 1967.

*Alice J. Duck*  
Clerk of the Circuit Court of Baldwin  
County, Alabama.

TRANSFER

## NOTICE of APPEAL

STATE OF ALABAMA, }  
MOBILE COUNTY }

G. A. C. FINANCE CORP., A CORP.  
Plaintiff

VS.

RICHARD BYRD & LINDA BYRD  
Defendant

To RICHARD BYRD & LINDA BYRD, the defendants,

in said Cause:

You are hereby notified that G. A. C. FINANCE CORP., A CORP.

the Plaintiff in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama, from the ~~judgment therein rendered by~~ the ~~Judge of the~~ COURT OF GENERAL SESSIONS OF MOBILE COUNTY, and having complied with the requirements of the law in such cases made and provided, the same has been granted to the next term of the CIRCUIT COURT of Baldwin County, to be held for said County, you are hereby notified accordingly.

Given under my hand this 28 day of August 19 67

*J. P. R. C.*  
Clerk, Court of General Sessions of Mobile County, Civil Division

Case No. 57951

W. 7706

G. A.C. FINANCE CORP., A CORP.

Plaintiff,

VS

RICHARD BYRD & LINDA BYRD

Defendant.

NOTICE OF EXTREME TRANSFER

Returnable To The Circuit Court  
of Baldwin County

Issued: August 28, 1967

Serve On: C. Lenoir Thompson  
Bay Minette, Ala.  
Attorney for Defendants.

REC'D SHERIFF DEPT.  
MOBILE COUNTY, ALA.

AUG 29 10 24 AM '67

BY

Served a copy of the within on 11 day of Sept 1967  
C. Lenoir Thompson

by service on

TAYLOR WILKINS, Sheriff

By W. A. Tolbert

# COST BILL

THE STATE OF ALABAMA }  
MOBILE COUNTY }

The Court of General Sessions  
of Mobile County

*D. H. C. ...*  
Plaintiff  
*Richard & ...*  
Defendant

CASE NO. *57951*

## COURT FEES

Summons and proceedings thereon to judgment .....	\$1.00	<i>2.00</i>
Docketing each cause .....	.10	<i>.10</i>
Attachment Bond and Affidavit .....	1.50	
Issuing each Attachment .....	.50	
Summoning Garnishee and taking examination .....	.75	
Subpoena for each witness .....	.15	
Execution and taxing costs thereon .....	.50	
Each appeal or certiorari, including bond and certificate of proceedings .....	1.00	<i>1.50</i>
Every necessary Certificate or Notice not otherwise provided for .....	.25	<i>.25</i>
For issuing each Writ of Detinue .....	.50	
For each Scire Facias, or notice in the nature thereof .....	.50	
Every other Bond .....	.50	
Administering an oath and certifying the same .....	.25	
Issuing Notice of Appeal .....	.25	
Law Library Fee .....	1.00	<i>1.00</i>
Judgment Ni Si against Garnishee .....	.50	
Writ of Discovery .....	.50	
Writ of Contempt .....	.50	
Writ of Arrest .....	.50	
Alias Summons .....	1.00	
Witness Fee fifty cents for each day's attendance .....		
.....		
.....		
.....		
.....		
.....		
.....		
TOTAL .....	\$	<i>4.35</i>

## SHERIFF'S FEES

Levying Attachment .....	6.00	
Entering and returning same .....	.25	
Summoning Garnishee and making return .....	1.50	
Serving Summons and other mesne process, and returning the same .....	1.50	<i>3.00</i>
Summoning each Witness and returning Subpoena .....	.75	
Collecting execution for costs only .....	1.50	
Serving Scire Facias or other like notice .....	1.50	
Serving any summons not herein provided for, and making return .....	1.50	<i>1.50</i>
Seizing personal property under Writ of Detinue .....	6.00	
Taking care of such property, such just compensation as Court may fix .....		
Taking and approving bonds of every kind .....	2.00	
When property is sold under execution or attachment .....		
Commission: .....	5%	
When sale is stayed by restraining order .....	2 1/2%	
Total .....	\$	<i>4.50</i>
GRAND TOTAL .....	\$	<i>8.85</i>

I respectfully call your attention to the above Court Cost Bill which if not paid by 19\_\_\_\_\_, it will be my unpleasant duty to issue execution on your property for the recovery of the same.

G. V. ADAMS, Clerk.

*J. ...*

C. LENOIR THOMPSON

Attorney-At-Law

BAY MINETTE, ALABAMA

Office Phone: 937-3921

36507

Residence Phone: 937-7487

June 28, 1967

Clerk, Court of General Sessions  
Mobile County,  
Mobile, Alabama

Re: G.A.C. Finance Corporation  
a corporation

Plaintiff

vs.

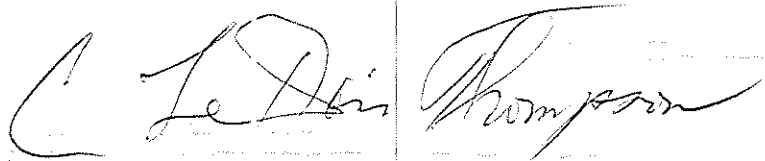
Richard Byrd and Linda Byrd,  
Defendants

Case No. 57951

Dear Sir:

Attached is a plea to the venue in the above styled cause which I respectfully ask that you please file and advise me of the date it is set for hearing, should the plaintiff wish to have it set down.

Yours very truly,

A handwritten signature in cursive script, reading "C. Lenoir Thompson". The signature is written in dark ink and is positioned to the right of the typed name "C. Lenoir Thompson".

CLT/hm

JUN 29 1967

TRANSFER

# NOTICE of ~~APPEAL~~

STATE OF ALABAMA, }  
MOBILE COUNTY }

G. A. C. FINANCE CORP., A CORP.  
Plaintiff

VS.

RICHARD BYRD & LINDA BYRD  
Defendant

To RICHARD BYRD & LINDA BYRD, the defendants,

in said Cause:

You are hereby notified that G. A. C. FINANCE CORP., A CORP.

the Plaintiff in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama, ~~an appeal from the judgment thereon rendered by~~ from the ~~judgment of the~~ COURT OF GENERAL SESSIONS OF MOBILE COUNTY, and having complied with the requirements of the law in such cases made and provided, the same has been granted to the next term of the CIRCUIT COURT of Baldwin Mobile County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 28 day of August 19 67.

*J. D. Richardson*  
Clerk, Court of General Sessions of Mobile County, Civil Division

Case No. 57951

G. A.C.FINANCE CORP., A CORP.

Plaintiff,

VS

RICHARD BYRD & LINDA BYRD

Defendant.

NOTICE OF ~~WARRANT~~ TRANSFER

Returnable To The Circuit Court  
of Baldwin County

Issued: August 28, 1967

Serve On: C.Lenoir Thompson  
Bay Minette, Ala.  
Attorney for Defendants.



G.A.C. FINANCE CORPORATION,  
a corporation,

Plaintiff

VS

RICHARD BYRD and LINDA BYRD,  
Jointly and Individually,

Defendants

X  
X  
X  
X  
X  
X

IN THE COURT OF GENERAL  
SESSIONS OF MOBILE COUNTY  
ALABAMA

CASE NO. 52951

Come the defendants in the above-entitled cause, appearing specially and only for the purpose of filing this plea, and says that the said G.A.C. Finance Corporation, a corporation, plaintiff in this cause, ought not to have and maintain its said action for the defendants say separately and severally, as follows, to-wit;

FIRST

That the said defendants are residents of Baldwin County, Alabama, and are not residents of Mobile County, Alabama.

SECOND

That the said defendants reside at Route 2, Box 183, Bay Minette, Alabama, and resided at this address when the alleged evidence of indebtedness was executed and has continued to reside at said address until the present date.

THIRD

That the said defendants have never resided in Mobile County, Alabama.

Wherefore, defendants say that the Court of General Sessions of Mobile County, Alabama, is without jurisdiction to try and determine this cause, and that this said action should be abated, and prays the judgment of this Honorable Court whether the plaintiff should be allowed to further maintain this suit.

Richard Byrd  
Richard Byrd

Linda Byrd  
Linda Byrd

LeDain Thompson  
Attorney for defendants.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Helen McDowell, a  
Notary Public, in and for said County, in said State, personally  
appeared Richard Byrd and Linda Byrd, who being known to me,  
and by me first duly sworn, deposes and says on oath:

That they are the defendants in the above entitled cause and  
have personal knowledge of the facts stated in the foregoing pleas  
and that the said statements of fact therein contained are true.

Richard Byrd  
Richard Byrd

Linda Byrd  
Linda Byrd

Sworn to and subscribed before me, this 28 day of June,  
1967.

Helen McDowell  
Notary Public, Baldwin County, Alabama.

THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

Case No. 57951

G. A. C. FINANCE CORPORATION,	: Filed:	May 31, 1967
A CORPORATION,	:	
	: Summons Issued:	June 8, 1967
Plaintiff,	:	
	: Returnable:	July 12, 1967
	:	
VS	: Service Had: (2)	June 22, 1967
	:	
	: Cause of Action:	Complaint and Summons
RICHARD BYRD and LINDA BYRD,	:	
	:	
Defendants.	: Attorney for Plaintiff:	Gibbons & Stokes
	:	
Amount of Claim: \$393.71	: Attorney for Defendant:	C. Lenoir Thompson


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Defendant's Pleas: Filed - June 29, 1967

July 12, 1967 - Plea & Abatement Confessed by Pltiff - Case transferred to  
Circuit Court of Baldwin County - Paul W. Brunson

I hereby certify that the foregoing is a true and correct copy of the  
above styled cause, as it appears on record and in the files of The Court of  
General Sessions of Mobile County, Alabama.

Witness my hand this the 28th day of August, 1967.

  
Clerk of The Court of General Sessions of Mobile County, Alabama

# COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS  
COURTROOM "B" FIRST FLOOR

The State of Alabama,  
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon RICHARD BYRD and LINDA BYRD

JOINTLY AND INDIVIDUALLY

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 12 day of July, 19 67 at the hour of 9:00 A.M., then and there to answer a complaint of G. A. C. FINANCE CORP., A CORP.

of a debt or other demand not exceeding Seven Hundred Fifty Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this 8 day of June, 19 67

Clerk of the Court of General Sessions of Mobile County.

Cause of Action

(2)

# COMPLAINT AND SUMMONS

Atty. for Plaintiff: **GIBBONS & STOKES**  
Atty. for Defendant:

THE COURT OF GENERAL SESSIONS  
OF MOBILE COUNTY

No. 57951

Ret.

July 12, 1967

G.A.C. FINANCE CORP., A CORP.

VS.

RICHARD BYRD and LINDA BYRD

jointly and individually

RICHARD - Standard Furniture Co.

Bay Minette, Ala.

Continued To

LINDA - Rt. 2, Box 183 - Bay Minette

RECEIVED

Please forward to the Sheriff of Baldwin County  
for service on defendants in Bay Minette

JUN 20 1967

TAYLOR WILKINS  
SHERIFF

Executed by Service on

Richard Byrd  
Defendant

Linda Byrd  
This 22 day June, 1967

Baldwin  
Sheriff of Mobile County

By W A Tolbert  
Deputy Sheriff

REC'D SHERIFF DEPT. BALDWIN COUNTY, ALA. JUN 26 10 03 AM '67

BY

G.A.C. FINANCE CORPORATION,  
a corporation,

Plaintiff,

VS:

RICHARD BYRD and LINDA BYRD,  
Jointly and Individually,

Defendants.

) IN THE COURT OF GENERAL SESSIONS OF  
) MOBILE COUNTY,  
) ALABAMA  
) AT LAW  
) CASE NO. 7706

Plaintiff claims of the defendant the sum of \$ 295.28  
due by promissory note heretofore executed by the  
defendant, payable to the plaintiff, together with interest  
thereon. Plaintiff avers that defendant defaulted in  
the terms of said promissory note, in that he failed and  
refused to make payments as specified thereunder.

Plaintiff claims benefit of waiver of exemptions  
as to personal property, as provided for in said note,  
and also, plaintiff claims a reasonable attorney's fee,  
in the sum of \$ 98.43, averring said fee to be  
reasonable.

The plaintiff is a licensee under the Alabama Small  
Loan Act of 1959, and its place of business in Mobile,  
Alabama, is separately licensed in compliance with the  
requirements of the Alabama Small Loan Act, and was so  
licensed at the time the said loan was made. Plaintiff  
further avers that said loan was made under, pursuant to  
and in compliance with the terms of said Alabama Small  
Loan Act.

GIBBONS & STOKES

  
ATTORNEY FOR PLAINTIFF

Serve the defendant, Richard Byrd, at: Standard Furniture  
Company, Bay Minette, Alabama  
Serve the defendant, Linda Byrd, at: Route 2, Box 183,  
Bay Minette, Alabama

Please forward to the Sheriff of Baldwin County for service  
on the defendants in Bay Minette, Alabama

FILED

AUG 29 1967

688

MAY 31 1967

ALICE J. DICK CLERK

## COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS  
COURTROOM "B" FIRST FLOORThe State of Alabama, }  
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon.....RICHARD BYRD and LINDA BYRD.....

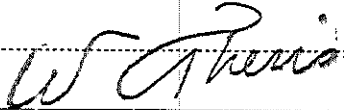
JOINTLY AND INDIVIDUALLY

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile  
County, on the.....12 day of.....July....., 19..67 at the hour of 9:00 A.M.,  
then and there to answer a complaint of.....G. A. C. FINANCE CORP., A CORP.....

of a debt or other demand not exceeding Seven Hundred Fifty Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this.....8 day of.....June....., 19..67

  
Clerk of the Court of General Sessions of Mobile County.

Cause of Action .....

(1)  
**COMPLAINT AND SUMMONS**

Atty. for Plaintiff: GIBBONS & STOKES

Atty. for Defendant:

**THE COURT OF GENERAL SESSIONS  
OF MOBILE COUNTY**

No. 57957

Ret.

**July 12, 1967**

**G.A.C. FINANCE CORP., A CORP.**

VS.

**RICHARD BYRD and LINDA BYRD  
jointly and individually**

**RICHARD - Standard Furniture Co.  
Bay Minette, Ala.**

Continged To

**LINDA - Rt. 2, Box 183 - Bay Minette**

Please forward to the Sheriff of Baldwin County  
for service on defendants in Bay Minette

Executed by Service on

Defendant

This ..... day ....., 19.....

Sheriff of Mobile County

By .....  
Deputy Sheriff