

**FOREST A. CHRISTIAN**

ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 — PHONE 943-2201

FOLEY, ALABAMA 36535

October 12, 1968

Hon. Telfair Mashburn  
Circuit Court  
Bay Minette, Alabama 36507

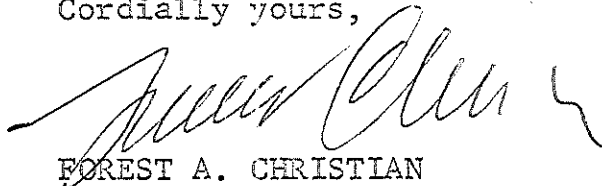
Re: Farmers & Merchants Bank  
Vs: Irvin Batterton and Vivian  
Batterton  
Case No. 8280

Dear Judge Mashburn:

Kindly render a judgment in the above case based on a promissory waive note on which the principal balance due is \$360.00 plus \$8.00 interest and \$72.00 attorney's fee, for a total of \$440.00.

Enclosed is promissory waive note.

Cordially yours,



FOREST A. CHRISTIAN

\$ 420.00

FOLEY, ALABAMA MAY 18 1968 19\_\_

For value received, I or we, jointly and severally, promise to pay to the order of

**FARMERS AND MERCHANTS BANK**  
FOLEY, ALABAMA

Four Hundred Twenty ===== DOLLARS

payable at **FARMERS AND MERCHANTS BANK, Foley, Alabama**, in 7 monthly installments of

\$ 60.00 each, and one installment of \$ none, the first installment to become due and payable on

or before the 18th. day of JUNE 19 68, and one installment to become due and payable on or

before the 18th. day of each succeeding month until the whole of said indebtedness is paid, with interest from

Maturity at the rate of 8 per annum.

If any installment of this note is not paid at the time and place specified, the entire amount unpaid shall be due and payable at the election of the holder hereof.

The parties to this instrument, whether maker, endorser, surety or guarantor, each for himself, hereby severally agrees to pay this note and waives as to this debt, or any renewal thereof, all right to exemption under the constitution and laws of Alabama, or any other State, as to personal property and they each severally agree to pay 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 secured by suit or otherwise, and 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 at 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, surety, endorser, guarantor, or any one of them.

No. 77960

Irvin Batterton (Seal)  
=Irvin Batterton=

Address Gulf Shores, Ala. 36542  
P.O. Box 605

Irvin Batterton (Seal)

679

SUMMONS

STATE OF ALABAMA, )

COUNTY OF BALDWIN. )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summons IRVIN BATTERTON and VIVIAN BATTERTON, 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, Alabama, at the place of holding same by FARMERS & MERCHANTS BANK of Foley, Alabama.

Witness my hand this the 26<sup>th</sup> day of August, 1968.

Alice J. Week  
Clerk

\*\* \*\* \*

COMPLAINT

FARMERS & MERCHANTS BANK of Foley, Alabama,	X	
	X	IN THE CIRCUIT COURT OF
PLAINTIFF,	X	BALDWIN COUNTY, ALABAMA
VS:	X	AT LAW
IRVIN BATTERTON and VIVIAN BATTERTON,	X	8280
DEFENDANT.	X	

The Plaintiff claims of the Defendant THREE HUNDRED SIXTY & 00/100 DOLLARS (\$360.00), due by promissory waive note made by them on the 18th day of May, 1968, and payable on the 18th day of July, 1968, with interest thereon.

Said note provides for a reasonable attorney's fee, which the Plaintiff alleges to be SEVENTY-TWO & 00/100 DOLLARS (\$72.00).

James C. Cunn  
Attorney for the Plaintiff

Defendants' address is:

P. O. Box 605

Gulf Shores, Alabama 36542

FILED

AUG 26 1968

ALICE J. WEEK CLERK  
REGISTER

SUMMONS AND COMPLAINT

Received 26 day of Aug 19 68  
and on 11<sup>th</sup> day of Sept 19 68  
I served a copy of the within 29 C  
on Irvin Batterton  
Vivian Batterton  
By service on Aboue

FARMERS & MERCHANTS BANK of Foley,  
Alabama,

PLAINTIFF,

VS:

IRVIN BATTERTON and VIVIAN  
BATTERTON, husband and wife

DEFENDANTS.

Sheriff claims 200 miles at  
Ten Cents per mile Total \$ 20.00  
TAYLOR WILKINS, Sheriff  
By Carlbur  
DEPUTY SHERIFF

FILED

AUG 26 1968

ALICE J. BUCK CLERK  
REGISTER

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA