

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Frank Gebhart to appear within thirty days from the service of this writ in the Circuit Court, to be held for said county at the place of holding the same, then and there to answer the complaint of Farmers & Merchants Bank of Foley.

Witness my hand this 12 day of March, 1934.

M. A. Stone
Clerk.

-ooo000ooo-

FARMERS & MERCHANTS BANK OF FOLEY,)
A Corporation,)
Plaintiff,)
-vs-)
FRANK GEBHART,)
Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

COMPLAINT

1. Plaintiff claims of the defendant the sum of ONE HUNDRED EIGHTY-FIVE & 00/100 (\$185.00) DOLLARS, the balance due by promissory note made by him on the 14th day of November, 1931 and payable on the 14th day of January, 1932 in the face amount of ONE HUNDRED NINETY-FIVE & 00/100 (\$195.00) DOLLARS, with interest thereon.

2. Plaintiff avers that in, by and as a part of the note here sued upon the defendant waived as to said note, all right to exemption under the constitution and laws of Alabama or any other state as to personal property and of this waiver plaintiff now claims the benefit.

3. Plaintiff further avers that in, by and as a part of the note here sued upon the defendant agreed to pay all costs of collecting or securing or attempting to collect or secure said note, including a reasonable attorney's fee; that the sum of \$50.00 is such reasonable attorney's fee and plaintiff claims of the defendant the further and additional sum of \$50.00 as such attorney's fee.

Edward Thomas
Solicitor for Plaintiff.

Case # 34 **RECORDED**

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

Docket Page 76

FARMERS & MERCHANTS BANK OF
FOLEY, A Corporation,

Plaintiff,

-VS-

FRANK GEBHART,

Defendant.

COMPLAINT

Filed March 12th 1934
W. A. Stone
Clerk.

Lloyd A. Magney,
Attorney at Law,
Foley, Alabama

Executed March 14th 1934
by serving copy of within Summons and
Complaint on
Frank Gebhart

W. R. Stone Sheriff
By J. R. Davis Deputy Sheriff
B

Circuit Court, Baldwin County

Farmers Merchants Bank of Foley - a corp.
Frank Gehlert
 vs.
 PLAINTIFF
 DEFENDANT

BILL OF COST

CLERK'S FEES		Dollars	Cts.	AMOUNT BROUGHT FORWARD		\$	Cts.
Issuing Summons and Complaint	\$1 25	1	25	Transcript to Supreme Court, 15c per hundred words			
Copies of same, when over 200 words, 15c per 100	30		30	Copies, 5c per hundred words			
Issuing Alias Summons and Complaint	1 25			Citation to Appellee in Appeal, 20c per hundred words			
Entering Sheriff's Return on Summons and Complaint	20		20	Certificate with Seal, 50c. Without Seal	25		
Docketing Cause 25c. Ent. Appearance, 20c	45		25	Witness Certificate	25		
Subpoena for Witness	30			Taking Bond Not Above Mentioned	75		
Making Certificate of Judgment	50		50	Entering Order of Court not above named	30		
Filing	10		10	Administering Oath	25		
Trial and Incidents	75		75	Taking Bond for Costs of Non-Resident Plaintiff	75		
Entering Judgment, or copy of same	30			Copy of any paper not above named, 15c per hundred words			
Order for Continuance	10		10	Filing Writ of Prohibition and Entering Return	15		
Issuing Execution	50		50	Issuing Writ of Prohibition	75		
Docketing Execution	25		25	Issuing copies of same, 15c per 100 words			
Issuing copy of same	50		50	Filing Mandamus and Entering Return	15		
Entering Sheriff's Return on Execution, 15c per hundred words	20		20	Issuing Writ of Mandamus	75		
Final Record, 15c per hundred words			1 00	Issuing copies of same, 15c per 100 words			
Order for Alias Summons and Complaint	30			Total Clerk's Fees			
Order to Dismiss Cause	30			SHERIFF'S FEES			
Order to Set Aside Dismissal	30			Serving and Returning Summons	\$1 50		
Order Overruling Motion to Set Aside Dismissal	75			Serving and Returning Subpoenas	65		
Order Granting New Trial	30			Collecting Execution for Costs	1 50		
Order Overruling Motion for New Trial	30			Serving and Returning Sci. Fa. Notice, etc.	65		
Order Overruling Motion for Continuance	30			Executing Writ of Possession	2 50		
Order Overruling Motion to Set Aside Default	30			Levying Attachment	3 00		
Order for Notice to Non-Resident Defendant	30			Entering and Returning Attachment	25		
Issuing Notice for Publication and Copy 20c per hundred words				Entering and Returning Execution	25		
Order to Give Security for Costs	30			Summoning and Returning Garnishee	1 50		
Order to Give Additional Bond	30			Taking and Approving Garnishee Bond	75		
Order to Execute Writ of Inquiry	30		30	Serving and Returning Writs	1 50		
Order of Sale in Attachment	30			Serving and Returning Summons on Forcible Entry	1 00		
Order for Leave to Amend Complaint	30			Executing Writ of Restitution in such cases	2 00		
Order for Leave to Amend Pleas	30			Taking and Approving Bonds of Every Kind	1 00		
Order for Leave to Amend Writ of Process	30			Taking and Approving Claim Bond	1 00		
Order for Attachment for Witness	30			Taking and Approving Forthcoming Bond	1 00		
Filing Deposition	10			Taking and Approving Bail Bond	1 00		
Issuing Commission to Take Deposition	75			Taking and Approving Plaintiff's Detinue Bond	1 00		
Issuing copy of same, per hundred words	15			Taking and Approving Defendant's Detinue Bond	1 00		
Issuing Copy of Interrogatories, 15c per hundred words, but not less than	50			Making Deed	2 50		
Endorsing each Pet. Deposition Opened	10			Serving Attachment for Contempt of Court	1 50		
Taking Bond in Garnishment on Summons	75			Collecting Money on Execution			
Summons to Garnishee	50			Empanelling Jury	75		
Copies of same, 20c per hundred words				Sheriff's Commission for Property Sold under Attachment			
Notice to Defendant in Garnishee on Summons, and copy, per hundred words	20			Seizing Personal Property on Writ of Detinue	3 00		
Swearing Garnishee and Recording Answer, 15c per hundred words, but not less than	50			Total Sheriff's Fees			
Filing Attachment	10			RECAPITULATION			
Issuing Attachment Writ and Taking Bond	1 00			Judgment			
Issuing Copies of Attachment Writ, 15c per hundred words				Interest			
Filing Certiorari and Entering Return	15			Clerk's Fees			
Taking Certiorari Bond and Filing Same	75			Sheriff's Fees			
Issuing Writ of Certiorari	75			Justice's Fees			
Issuing copies of same, 15c per 100 words				Constable's Fees			
Issuing Writ of Scieri Facias, or Notice in Nature of	75			Witnesses' Fees			
Issuing copies of same, 15c per 100 words				Commissioners' Fees			
Taking Supersedeas Bond and Filing same	75			Printer's Fees			
Taking Appeal Bond and Filing same	75			Stenographer's Fees	5 00		
TOTAL FORWARDED		5	90	Answer of Garnishee			
				Trial Tax	3 00		
				Total		\$	296 57

Received payment this _____ day of _____ 193_____

ATTEST

Clerk Circuit Court, Baldwin County, Ala.

8/20/34-" Judgment by Default on promissory waive note. Writ of inquiry & Plaintiff's damages assessed at \$286.17"
 LLOYD A. MAGNEY, Attorney for Plaintiff.

Circuit Court, Baldwin County

No. 34

*Farmers & Merchants
Bank*

VS.

Frank G. Hart

Ex
CIVIL COST BILL

Paid _____, 193—

Clerk.

CERTIFICATE OF JUDGMENT

The State of Alabama, }
Baldwin County

Circuit Court, Fall Term, 19 34

Farmers & Merchants Bank of Foley,

a Corporation,

PLAINTIFF.

Vs.

Frank Gebhart,

DEFENDANT.

I, M. A. Stone, Clerk of the Circuit Court of Baldwin County,

Alabama, do hereby certify that on the 20th day of August, 19 34,

a Judgment was rendered by said Court in the above stated cause, wherein

Farmers & Merchants Bank of Foley, A Corporation,

was Plaintiff and Frank Gebhart,

was Defendant, in

favor of the said Plaintiff and against the said Defendant for the sum of

Two Hundred Eighty-Six and 17/100 DOLLARS,

and for the sum of Ten and 40/100 DOLLARS,

the costs in said suit and that Lloyd A. Magney,

are the Attorneys of record for the Plaintiff

in said cause. There was a waiver of Exemptions as to personal property
under the Constitution and Laws of Alabama.

Witness my hand this 29th day of August, 19 34

M. A. Stone
Clerk, Circuit Court, Baldwin County, Alabama.

Copy

CERTIFICATE OF JUDGMENT

Farmers & Merchants Bank of

Foley, a Corporation,

, Plaintiff

Vs.

Farnk Gebhart,

, Defendant

MOORE PRINTING CO., BAY MINETTE, ALA.