(102)

# The State of Alabama, Baldwin County

Circuit Court, February Term, 19 35

THE AMERICAN AGRICULTURAL	L CHEMI CAI.	COMPANY	
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steven stejskal,			
			eran <sub>er</sub> gjorden er
	DEFENDA	NT.	
Robert S. Duck,		-, Clerk of the Circuit C	ourt of Baldwin County,
Alabama, do hereby certify that on the_	4th	_day of_ February	19
AGRICULTURAL CHEMICAL CO	ompany a <b>c</b> oi ven stejskaj		
			was Defendant, in
favor of the said Plaintiff and against the	e said Defendant f	or the sum ofFou	r Hundred and
Ninety-two and 16/100		nd. 440 dills with page 11th age was this days was thin the was the	DOLLARS,
and for the sum or			DOLLARS,
the costs in said suit and that	J. B. Ma	ekburn	
		are the Attorneys	of record for the Plaintiff
in said cause. And I further as to personal property un Witness my hand this	nder the Cor	astitution and	waiver of exemptic Laws of Alabama. <u>TY 19</u> 35
	<u> </u>	lerk, Circuit Court, Bal	dwin County, Alabama.

STATE OF ALABAMA BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Steven Stejskal 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 same, then and there to answer the complaint of The American Agricultural Chemical Company, a Corporation.

Witness my hand this the /// day of November, 1934.

Circuit Clerk.

THE AMERICAN AGRICULTURAL CHEMICAL COMPANY, a Corporation,

Plaintiff,

VS.

STEVEN STEJSKAL,

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

NO. 102

Defendant.

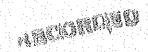
- The Plaintiff claims of the Defendant the sum of Two Hundred Fifty-eight and 50/100 Dollars (\$258.50) due by a promissory note made by him on to-wit, January 6th, 1933 and payable on to-wit, June 1st, 1934, together with interest thereon.
- 2. The Plaintiff claims of the Defendant the sum of One Hundred and Twenty-five Dollars (\$125.00) due by a promissory waive note made by him on to-wit, January 6th, 1933 and payable on to-wit, June 1st, 1933, together with interest thereon.

Plaintiff further alleges and avers that in, by and as a part of each of the said notes the Defendant agreed to pay all costs of collecting, securing or attempting to collect or secure

each of the said notes including attorneys fees of 10% of the principal and interest due on said notes and Plaintiff alleges and avers that the sum of Fifty Dollars (\$50.00) is such fee.

Plaintiff further alleges and avers that in, by and as a part of each of the said notes the Devendant waived all right of exemption under the Constitution and Laws of the State of Alabama, and the Plaintiff now claims the benefit of this waiver.

Attorney for Plaintiff.



Capeuted /6 th of Mar. 1994.
17 serving copy of within Summons and Complaint on

William Named Defendant Steven Stepskal

... Deputy Sheriff

RANGE PROPERTY

Macial / //

SUMMONS AND COMPLAINT.

THE AMERICAN AGRICULTURAL CHEMI-CAL COMPANY, a Corporation, Plaintiff,

VS.

STEVEN STEJSKAL,

Defendant.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

AT LAW. NO. 162.

Filed on this the \_\_\_\_day of Nov-ember, 1934.

M. A. D. Vick

J.B.BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

### Circuit Court, Baldwin County

102

Steven Steiskal

DEFENDANT

			BILL	OF COST	
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	ŏ l		á)	Taking Bond Not Above Mentioned 75 Entering Order of Court not above named 30	200
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Received	payment this	day of	193
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ATTEST

Clerk Circuit Court, Baldwin County, Ala.

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#### Circuit Court, Baldwin County

102

American agricultural chronice Steven Steinteal

PLAINTIFF

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ATTEST

Clerk Circuit Court, Baldwin County, Ala.

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FOR THE SOUTHERN DISTRICT OF ALABAMA,

IN THE DISTRICT COURT OF THE UNITED STATES

ROLLHERN DIVISION

NUMBER 5886

IN THE MATTER OF

IN BANKRUPTCY

SLEARN SLEISKAL,

BANKRUPT

AT MOBILE, IN SAID DISTRICT, ON THE 23rd. Day of May,

a bankrupt on a petition filed by him on the 15th. day of the County of Baldwin, State of Alabama, was duly adjudged It appearing that STEVEN STEJSKAL, of Silverhill, in :276T

January, 1942; and

It further appearing that, after due notice by mail,

no objection to the discharge of said bankrupt was filed

within the time fixed by the court:

It is Ordered that said Steven Stejskal be, and he

hereby is, discharged from all debts and claims which are,

by the Act of Congress relating to bankruptcy, made provable

against his estate, except such debts as are, by said Act,

William Cowley

excepted from the operation of a discharge in bankruptcy.

Keteree in Bankruptcy

SOUTHERN DIVISION FOR THE SOUTHERN DISTRICT OF ALABAMA, SHIVE DISTRICT COURT OF THE UNITED STATES

record in said proceeding. was duly referred and before whom it is still pending, do hereby certify that the foregoing is a true and correct copy of the order granting discharge of said bankrupt as the same is on file and of Division of said District, to whom the above entitled proceeding

tth. day of June, 1942 Given under my hand in the City of Mobile, Alabama, this the

CERTIFIED COPY

01

ORDER GRANTING DISCHARGE
OF
STEVEN STEJSKAL, BANKRUPT

The Sept 15-1942

AMERICAN AGRICULTURAL COMPANY, : IN THE CIRCUIT COURT OF

Plaintiff, :

BALDWIN COUNTY,

VS.

ALABAWA

STEVE STEJSKAL,

\_

Defendant.

And the said defendant, Steve Stejskal, by and through his attorney, Richard J. Demeree, comes and says that the plaintiff ought not to have or maintain his aforementioned action against him because he says:

First, that he is a male person over the age of twentyone, residing in Baldwin County, State of Alabama, and that
he did make and sign contract in writing and deliver the same
to the plaintiff of which the plaintiff is the present owner
and holder according to the tenor and effect of said contract
and in every respect has claimed by the plaintiff, and though
so indebted did not and have not paid said note to the plaintiff or any other person.

Second, that the said contract of the plaintiff wasm given by the defendant in good faith and with the bona fide intention of paying same at the time of making and delivering same, and defendant aversthat said contract is evidentce of a debt of a kind and nature dischargeable in bankruptcy within the intent and meaning of the actof bankruptcy of the United States relating to the debt dischargeable thereby.

Third, that the defendant before and on the 15th day of June, 1941, and from thence continuously until the 15th day of January, 1942, has been and is now a resident of the county of Baldwin, State of Alabama within the furisdiction of the District Court of the Untied States for the Southern District of Alabama and as such became entitled to become and be a bankrupt within the intent and meaning of the act of bankruptcy of the United States and amendments and statutes relating to

bankruptcy.

Fourth, that this defendant while so residing as next above alleged on the 15th day of January, 1942, being insolvent made and filed his bankruptcy petition in bankruptcy in the said District of the Untied States for the Touthern Tistrict of Alabama under and by virtue of the acts of bankruptcy of the United States and amendments and statutes relating to bankruptcy and in and upon our schedule of liabilities schedule A-3 of daid voluntary petition in bankruptcy did list and fully describe the very same and identical debt sued upon by the plaintiff in this action evidenced by said promissory note together with the name and address of the plaintiffs in the form and manner prescribed by the act of bankruptcy of the United States. and amendments and statutes, rules and regulations thereto relating and in such case provide a claim or debt for that petition to be adjudged a bankrupt as tok as and will fullyappear by certified copy of schedule of said voluntary petition in bankruptcy hereto attached and hereto made a part of this decree.

Fifth, that after filing said voluntary petition in bankruptcy and that on to-wit the 26th day of Jannary, 1942, this
defendant was duly and regularly adjudicated a bankrupt by the
said District Court of the United States for the Southern District of Albama, as to plaintiff's deed, the very same identical
deed sured on in Platintiff's declaration and notice thereof
was published as required by the bankruptcy law and that said
plaintiff, the creditor of the defendant, was duly, regularly
and actually notified in writing by the District Court of the
United States for the Southern District of Alabama, of such
adjudication, and to file his claim upon said debt, and of
the first meeting of creditors of defendant, and did have actual notice and opportunity to file his claim and participate
in the dividend of the assets of defendant surrendered to the
bankruptcy court, in accordance with the Act of Bankruptcy

and statutes, rules and regulations relating to bankruptcy.

Sixth, at the time and in the manner required by the Act of Bankruptcy and statutes, rules and regulations relating to bankruptcy, defendant applied to the said District Court of the United States for the Southern District of Alabama, for discharge in bankruptcy, and the said plaintiff was actually notified of said application for discharge and also to object to scuh discharge. And, thereafter, in due course of the proceedings in bankruptcy, defendant was duly discharged in said bankruptcy, and of and from the very same identical debt to the plaintiff, as listed in said Schedule A-3, and as set forth and alleged in plaintiff's declaration. A true and certified copy of the said discharge in bankruptcy being hereto attached and hereby made a part of this plea as exhibit B thereof.

Seventh, and the Defendant further says that the cause of action in plaintiff's declaration sued upon, accrued to the plaintiff before the defendant so became a bankrupt, as afore-aid, and was discharged in bankruptcy. And this defendant has never since offered to pay, nor paid, any part of said debt, nor either orally, or in writing, promised to pay, in whole or in part, nor either expressly nor impliedly admitted or acknowledged the same as a debt for which he is liable, nor in anywaise ratified same, or otherwise revived the same from the bar of said discharge in bankruptcy.

Wherefore, the defendant says that the date and cause of action sued upon in and by plaintiff's declaration has been discharged by the bankruptcy of defendant, and the same is barred. And he prays judgment if the plaintiff ought further to maintain aforesaid action against him.

Attorney for the Defendant

Defendant Defendant

## STATE OF ALABAMA COUNTY OF BALDWIN

In person before the undersigned, an officer duly authorized to administer oaths and take acknowledgements of deeds, under and by virtue of the laws of Alabama, appeared Steven Stejskal, who after being first duly sworn, on oath says that he is the defendant in the within and foregoing plea in bank-ruptcy and that he has read the same and the same is true.

Steven Steishal
Defendant

Subscribed and sworn to before me this

day of 347, 1942.

Notary Phulic, Baldwin County, Alabama

Attached is exhibit A, certified copy of the Schedule. Attached is exhibit B, copy of the discharge.

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THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

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PLAINTIFF

Elliatt T. Riesturby

DEFENDANT

Summons and Complaint

Filed,	· <del></del>	11/23	 1934
			 Clerk.
		Defendant Lives at	• •
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Plaintiff's Attorney.

Defendant's Attorney

MOORE PRINTING CO., BAY MINETTE, ALA.

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TILTON GROWERY COMPANY, Hanaw Brothers, Assignees,

Plaintiff,

LAW.

ΨC

CIRCUIT COURT OF

J.E.KIETH,
Defendant,
ROBERT UNDERWOOD,
Garnishee.

BALDWIN COUNTY, ALABAMA.

IT IS HEREBY AGREED BETWEEN THE PARTIES TO THE MOTION FILED IN THE CAUSE NOVEMBER 23rd 1934,

That Hanaw Brothers of Mobile, a partnership is now the owner of the judgment against J.E.Kieth heretofore recovered in this cause, same having been purchased by them withother accounts from the Trustee in Bankruptcy of Tilton Brocery Company, heretofore adjudged bankrupt. As such assignee, said Hanaw Brothers are entitled to all payments made into court by the Garnishee, Robert Underwood.

That of the funds now paid into Court by said Garnishee the Clerk of this Court is hereby authorised to pay the costs of this motion, all prior costs having been paid, and to pay to the Attorney for the original Plaintiff, Elliott. G. Rickarby, the balance of the fee due him amounting to FIFTEEN DOLLARS, the remainder of the funds now on hand and all subsequent payments by Garnishee to be paid to Hanaw Brothers.

It is further agreed that an order of Court may be entered in accordance with this agreement.

Executed in duplicated this the second day of February, 1935

Colline A. Rinda

TILTON GROCERYCOMPANY, Plaintiff,

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TILION GROCERY COMPANY, Hanaw Brothers, Assignees,

Plaintiff

) CIRCUIT COURT OF BALDWIN COUNTY, ALA.

-VS-

WAI TA

J. E. KETTH

Defendant

Come Hanaw Brothers, a partnership composed of Albert D. Hanaw and Milton J. Hanaw, and move the Court to make and enter an order in the above entitled cause to the effect that Elliott G. Rickarby has a lien for attorney's fees against the judgment obtained in said cause to the extent and in the sum of \$12.78; that said fee in said sum of \$12.78 shall, after the payment of all court costs in said cause, be paid to said Elliott G. Rickarby from and out of all monies collected by the Clerk of this Court; and that thereafter the Clerk of this Court shall pay the balance of said monies so collected directly to these movants; and as grounds for said motion, aver:

- That the balance of attorney's fees due said Elliott G. Rickarby amounts to said sum of \$12.78.
- ౭ం That said judgment is now the property of these movants, having been purchased at a bankruptcy sale of the assets of the Plaintieff in this cause, as shown by a partial copy of the bill of sale of said assets to these movants hereto attached and made a part hereof.

The faregoing motion is ardered set do - hearing on Feb. with 1936 + notice to use Author This D. - + This Dee, 4th 1934-This Dee, 4th 1934-This Dee, 4th 1934-

KNOW ALL MAN BY THREE PRESENTS: That whomeas V. B. Mc Alcor is the Trustee in Bankruptey of the estate of Tilton Greeny Company, Inc. Bankrupt and by potition filed by him for the sale of the accounts hereafter set out and at a meeting held July 8, 1931, he offered said accounts to the highest bidder and at said sale Haraw Brothers, a partnership composed of Albert D. Haraw and Milton J. Haraw, was the highest bidder in the sum of \$406.00 and said sale has been confirmed by the Referee in Barkruptey for the United States District Court for the Southern Division of the Southern District of the State of Alabama.

Now therefore, in consideration of the sum of \$406.00 to me in hand this day paid, I, V. B. Mc Aleer, Trustee in the estate of the Tilton Greenry Company, Inc., Bankrupt, do hereby transfer, sell, assign and set over unto said partnership, Hanaw Brothers, the following accounts and judgements due the Tilten Greenry Company, Inc., Bankrupt in the sum of \$9,719.45, a list of same being hereto attached and made a part of this Bill of Sale.

In witness whereof I have hereunto set my hand as Trustee for the aforesaid estate this 9th. day of July, 1931.

V. B. MC ALTER Trustoo.

witness:

W. H. COMMOR

MARCELLE MALONE.

ACCOUNTS RECEIVABLE TILTON GROCKRY COMPANY, INC. ROBERTSDALE, ALABAMA. March 27, 1931.

J. S. KEITH

153.43

And: 97 Other accounts amounting to-

9566.02

#### STATE OF ALABAMA COUNTY OF MOBILE

Personally appeared before me, James E. Duggan, a

Notary Public in and for the above State and County, Milton J. Hanaw,
who being by me first duly sworn, deposes and says that he and Albert

D. Hanaw are partners doing business under the firm name and style
of Hanaw Brothers; that he is authorized to make this affidavit; that
he has knowledge of the facts averred in the attached motion and copy
of bill of sale, and that the same are in all respects true and correct.

Subscribed and sworn to before me on this 16th. day of November, 1934

MOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

**TECORDIED** 

Filed Hor. 17-1994 My. a. Stone Registre.

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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF ALABAMA,
SOUTHERN DIVISION

IN THE MATTER OF

STEVEN STEJSKAL,

NUMBER 5886

.BANKRUPT :

IN BANKRUPTCY

TO THE CREDITORS OF STEVEN STEJSKAL, OF SILVERHILL, IN THE COUNTY OF BALDWIN AND DISTRICT AFORESAID, (OPERATOR OF STEVE'S SHOE REPAIR SHOP AT FAIRHOPE IN SAID COUNTY):

Notice is hereby given that said Steven Stejskal has been duly adjudged a bankrupt on a petition filed by him on the 15th. day of January, 1942, and that the first meeting of his creditors will be held in Room 339 Federal Building, in the City of Mobile, Alabama, on the 4th.day of February, 1942, at four o'clock P. H., at which place and time the said creditors mat attend, prove their claims, appoint a trustee, appoint a committee of creditors, examine the bankrupt, and transact such other business as properly may come before said meeting.

Mobile, Alabama, January 16, 1942

William Cowley Referee in Bankruptcy

Clerk Circuit Court Baldwin County, Alabama (Judgment in favor American Agriculture Co., )

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