

468

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon T. E. MITCHELL to appear within thirty (30) 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, Alabama.

WITNESS my hand this 9th day of August, 1938.

R. S. Smith
Clerk

-----oooo000oooo-----

FARMERS & MERCHANTS BANK of
FOLEY, ALABAMA, a Corporation,

Plaintiff,

vs.

T. E. MITCHELL,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

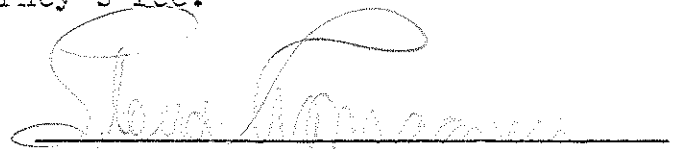
COMPLAINT

1. The Plaintiff claims of the Defendant EIGHT HUNDRED FORTY TWO & 63/100 (\$842.63) DOLLARS, due by promissory note made by him on the 1st day of December, 1931, payable on the 1st day of March, 1932, with interest thereon.

2. Plaintiff claims of the Defendant the further and additional sum of FIVE HUNDRED TWENTY SEVEN & 85/100 (\$527.85) DOLLARS due by promissory note made by him on the 1st day of November, 1932, and payable on the 1st day of May, 1933, with interest thereon.

3. The Plaintiff avers that in, by and as a part of each of the notes sued on in Counts One and Two hereof, the Defendant waived as to said debts, all right to exemption under the Constitution and Laws of Alabama or any other state, as to personal property, and of these waivers, the Plaintiff now claims the benefit.

4. Plaintiff further avers that in, by and as a part of each of the notes sued on in Counts One and Two hereof, the Plaintiff agreed to pay all costs of collecting or securing or attempting to collect or secure said notes, including a reasonable attorney's fee; that the sum of THREE HUNDRED & 00/100 (\$300.00) DOLLARS is such reasonable attorney's fee and Plaintiff claims of the Defendant the further and additional sum of THREE HUNDRED & 00/00 (\$300.00) DOLLARS as such attorney's fee.



Attorney for Plaintiff

Plaintiff demands a trial by jury.

RECORDED
8-22-35

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

FARMERS & MERCHANTS BANK OF
FOLEY, ALABAMA, a Corporation

Plaintiff,

vs.

T. E. MITCHELL,

Defendant.

SUMMONS AND COMPLAINT

Filed Aug 9 1935
Per [Signature]
clerk

LLOYD A. MAGNEY
ATTORNEY AT LAW
FOLEY, ALABAMA

Aug 10 1935
copy of within Summons and
complaint

T. E. Mitchell

W. H. Williams Sher
J. H. Williams Deputy Sher

The State of Alabama,

CIRCUIT COURT

Baldwin COUNTY.

Term, 19 39

No. 468 vs.

L. E. Mitchell

BILL OF COSTS

CLERK'S FEES			@	Amount	SHERIFF'S FEES			@	Amount
1	Issuing.....	Summons and Complaint.....	\$1	25	1	Levying.....	Attachment.....	\$3	00
2	Issuing.....	copies thereof.....	30		2	Entering and returning.....	Attachment.....	25	
3	Making every copy thereof, when over 200 words, per 100 words.....		15		3	Summoning.....	garnishee and return.....	1	50
4	Entering.....	Sheriff's return or copy thereof.....	20	20	4	Serving.....	Summons and Return.....	1	50
5	Docketing cause, to be charged but once.....		25	25	5	Serving.....	Subpoenas.....	65	
6	Entering Appearance.....		20	20	6	Impanelling jury.....		75	
7	Filing.....	pleas, demurrer and other pleadings, for each.....	10		7	Making deed.....		2	50
8	Every trial, with or without jury, and its incidents, not including judgments by default or nil dicat.....		75		8	Serving Summons, forcible entry, etc.....		1	50
9	Entering.....	Continuance (each).....	10	30	9	Executing writ of restitution or possession.....		5	00
10	Entering.....	judgment (each).....	30		10	Collecting execution for cost.....		1	50
11	Entering any other order of Court (each).....		30	30	11	Serving.....	Sci. Fa., notices, etc.....	1	50
12	Issuing.....	Scire Facias, or notice in the nature thereof (each).....	75		12	Serving any summons not provided for and return.....		1	50
13	Issuing.....	Execution or copy thereof (each).....	50		13	Serving.....	attachment for contempt.....	1	50
14	Entering return, or copy thereof, for each 100 words, 15 cts; but in no case less than.....		20		14	Taking and approving.....	bond.....	1	00
15	Recording award of arbitrators, referees, auditors, etc., for each 100 words.....		15		15	Seizing personal property in detinue.....		3	00
16	Issuing execution or attachment thereon, and entering return.....		1	00	16	Collecting money under execution, 5% first \$200.00; 4% to \$500.00; 3% all over \$500.00.....			
17	Taking bond for certiorari supersedeas, or appeal, or copy thereof and filing same.....		75		17	Selling property attached, same for selling under execution.....			
18	Issuing.....	Subpoenas for Witness (each).....	30		18	Former Sheriff's fees.....			1 50
19	Administering an oath, not relating to a trial pending and certifying the same.....		25		Total Sheriff's Fees.....				5 80
20	Issuing.....	Attachment and taking bond (each).....	1	00	RECAPITULATION				1 50
21	Filing.....	papers in attachment (each).....	10		1	Clerk's Fees.....			
22	Issuing.....	Summons for garnishee (each).....	50		2	Clerk's Fees.....			
23	Swearing and taking examination for Garnishee and recording same, for each 100 words 15 cts; but not less than.....		50		3	Sheriff's Fees.....			
24	Order to advertise, or order of survey, or copy thereof.....		50		4	Sheriff's Fees.....			
25	Certificate of Judgment.....		50		5	Witness Fees in Circuit Court.....			
26	Recording each surveyor and surveyor's report or copy thereof, each 100 words 15 cts; but not less than.....		25		6	Justice of the Peace Fees.....			
27	Issuing.....	Commission to take depositions, or copy thereof.....	75		7	Witness Fees, in Justice of the Peace Court.....			
28	Making copy of interrogatories accompanying commission.....		50		8	Commissioner's Fees.....			
29	Or for each 100 words,.....		15		9	Commissioner's Residence.....			
30	Filing.....	packages of depositions (each).....	10		10	Constable's Fees.....			
31	Indorsing.....	package of depositions, opened (each).....	10		11	Garnishee's Fees.....			
32	Issuing.....	writ of ad quod damnum or writ in the nature thereof.....	75		12	Printer's Fees.....			
33	Recording the return and inquest thereon.....		50		13	Stenographer's Fees.....			3 00
34	Or for each 100 words.....		15		14	Trial Tax.....			
35	Issuing.....	Writ of certiorari, prohibition, mandamus, or writ in the nature thereof.....	75		Total Fees.....				10 30
36	Filing the same and entering return.....		15		15	Judgment.....			
37	Making a complete record of a cause or copy thereof, for each 100 words.....		15	3 00	16	Date.....			
38	Making copy of any paper not herein provided for, for each 100 words.....		15		17	Interest.....			
39	Making each certificate requiring the seal of office, and affixing seal.....		50		18	Damages.....			
40	Taking any bond not otherwise provided for.....		75		Total Judgment.....				
41	Making.....	necessary certificates not otherwise provided for (each witness).....	25		Interest and Damages.....				
42	For certifying abstract, in lieu of fees for transcript under section 2851 of the Code.....		5	00	Grand Total.....				
43	Record for Supreme Court, for each 100 words.....		15						
44	Each additional copy thereof, for each 100 words.....		05						
45	Collecting money on judgments wherein said judgment has not been paid within 30 days after rendition, one half the per cent allowed sheriffs for same services for collecting money on execution.....								
Total Clerk's Fees.....				5 80					