

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon L. D. Thomas to appear with in thirty (30) days of the service of this writ in the Circuit Court to be held by said County at the place of holding the same, then and there to answer complaint of Farmers & Merchants Bank of Foley.

Witness my hand this 14th day of October, 1939.

R. S. Duch

Clerk.

By - Pauline Thompson, Deputy Clerk

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FARMERS & MERCHANTS BANK OF FOLEY,
a corporation,

Plaintiff,

vs.

L. D. THOMAS,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

COMPLAINT

ONE

Plaintiff claims of the defendant ONE HUNDRED SEVENTY-TWO & 30/100 DOLLARS balance due by promissory note made by him on the 24th day of July, 1936 and payable on the 24th day of October, 1936, made to Foley Motor Company and by said Foley Motor Company endorsed to the plaintiff on July 24th, 1936, for value and before maturity, which said note with the interest thereon is unpaid.

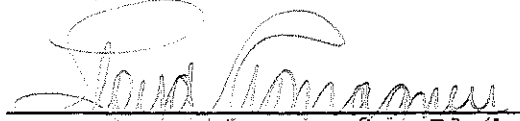
TWO

Plaintiff avers that in, by and as a part of the note here sued upon defendant waived as to such debt all right of exemption under the Constitution and Laws of the State of Alabama and of such waiver plaintiff now claims the benefit.

THREE

Plaintiff avers that in, by and as a part of the note here sued upon the defendant agreed to pay all costs of collecting said note, including a reasonable attorney's fee; that the sum of THIRTY

FIVE & 00/100 (\$35.00) DOLLARS is such reasonable attorney's fee
and plaintiff claims of the defendant the further sum of THIRTY
FIVE & 00/100 (\$35.00) DOLLARS as such reasonable attorney's fee.



Attorney for Plaintiff.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

RECORDED 8-326

FARMERS & MERCHANTS BANK OF
FOLEY, a corporation,

Plaintiff

vs.

L. D. THOMAS,

Defendant.

Magnolia Bank

COMPLAINT

Filed October 14, 1939
R. S. DICK

clerk, - registrar

By *W. H. C. Davis*
Deputy

LLOYD A. MAGNEY
ATTORNEY AT LAW
FOLEY, ALABAMA

W. H. C. Davis
Executed 11-16-39
by handing a copy of
the within writ to
the defendant
J. D. Thomas -
W. H. C. Davis
W. H. C. Davis D.S.

The State of Alabama,
Baldwin County.

No. 543

CIRCUIT COURT

Spring

Term, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

YOU ARE HEREBY COMMANDED, That of the goods and chattels, lands and tenements of

L. D. Thomas, Defendant,
you cause to be made the sum of Two Hundred and Twenty-four & 30/100 DOLLARS,
which Farmers & Merchants Bank of Foley, a Corporation, Plaintiff,

recovered of said defendant, L. D. Thomas
on the 29th day of January, 1940, by the Judgment of our Circuit Court held for the County of
Baldwin, besides the sum of Twelve and 85/100 DOLLARS,
costs of suit, and have the same to render to the said R. S. Duck, Clerk, and make return of this Writ and
the execution thereof, according to law.

Interest from January 29, 1940, to date of collection, 1940Witness, my hand this 13th day of February, 1940, R. S. Duck, Clerk.

CLERK'S FEES		AMOUNT	SHERIFF'S FEES		AMOUNT		
Issuing.....	Summons and Complaint.....	\$1.25	1.25	Serving and Returning.....	Summons.....	\$1.50	1.50
Issuing.....	copies of same.....	.30	.30	Serving and Returning.....	Writs.....	1.30	
Issuing.....	Branch Summons and Complaint.....	1.25		Serving and Returning.....	Subpoenas for.....	Wit. .65	
Issuing.....	copies of same.....	.30		Levy.....	Attachment.....	3.00	
Entering.....	Sheriff's Return or copy of above.....	.20	.20	Entering and Returning.....	Attachment.....	.25	.25
Docketing Cause.....		.25	.25	Summoning and Returning.....	Garnishee.....	1.50	
Entering.....	Appearances.....	.20	.20	Serving and Returning.....	Sci. Fas.....	Notices 1.50	
Filing.....	Pleas.....	.10	.10	Impaneling Jury.....		.75	
	Affidavits, Certified.....	.25		Collecting Cost, Execution.....		1.50	1.50
	Commissions to take Depositions.....	.75		Taking and Approving.....	Replevin Bonds.....	1.00	
	copies of Interrogatories.....				Claim Bonds.....	1.00	
	Notices of Filing Interrogatories.....	.50			Garnishment Bonds.....	.75	
Filing.....	Packages of Depositions.....	.10			Forthcoming Bonds.....	1.00	
Inclosing.....	Packages of Depositions.....	.10			Bail Bonds.....	1.00	
	Orders in Court.....	.30	.30		Detinue Bond.....	1.00	
	Continuances.....	.10		Writ of Possession.....		5.00	
Issuing.....	Subpoenas for.....	Witnesses .30		Making Deed.....		5.00	
Trial and Incidents.....		.75	.75	Collecting Money on Execution.....			
Entering.....	Judgment.....	.30	.30	Writ of Restitution.....		2.00	
Issuing.....	Execution.....	.50	.50	Sheriff's Commissions.....			
Entering.....	Sheriff's Return of Execution.....	.20	.20	Sheriff's Deed.....			
Issuing.....	Certiorari.....	Sci. Fas. .75		Seizing Personal Property in Detinue.....		3.00	
Filing.....	Certiorari, etc.....	.15					
Issuing.....	Notices.....	.75		Former Sheriff's Fees.....			
Issuing.....	copies of same.....	.50		TOTAL SHERIFF'S FEES.....			3.25
Taking.....	Bonds.....	.75		WAIVER.....	NO WAIVER.....		
Filing.....	Bonds.....	.10		RECAPITULATION.....			
Issuing.....	Attachment Writ.....	and taking Bond 1.00		Judgment for <u>Plaintiff</u> for.....			\$224.30
Filing.....	Attachments.....	.10		Interest from <u>Jan - 29 - 1940</u>			
	Summons of Garnishee.....	.50		Damages.....			
Swearing and Ent.....	Answer of Garnishee.....			Clerk's Fees.....			6.60
Complete Record, 15c per 100 words.....			1.25	Sheriff's Fees.....			3.25
Transcript to Supreme Court.....				Justice of Peace Fees.....			
Certificate of Appeal to Supreme Court.....		.75		Witness Fees in Justice of Peace Court.....			
	Notices of Appeal.....	.75		Constable's Fees.....			
	Appeal Bond.....	.75		Commissioner's Fees.....			
Certificate of Judgment.....		.50	.50	Commissioner's Residence.....			
	Witness Certificates.....	.25		Printer's Fees.....			
	Recording Certificate.....		.50	Garnishee's Fees.....			
				Witness Fees in Circuit Court.....			
				Former Clerk's Fees.....			
				Trial Tax.....			3.00
TOTAL CLERK'S FEES.....		\$6.60		TOTAL FEES.....			\$237.15

FEB 13 1940

No. 543 Page

The State of Alabama,

COUNTY.

CIRCUIT COURT.

Farmers Merchants Bank

J. Foley, a Corp.

Plaintiff

vs.

J. D. Thomas

Defendant

CIVIL EXECUTION FOR COSTS
AGAINST DEFENDANT

Judgment for \$ 229.30

Interest from Jan. 29, 1940,
to Feb. 13, 1940, \$

Damages \$

Costs \$ 12.30

Total \$ 237.15

Civil Fee Book Page

Execution Docket Page

Filed 19

Clerk

George A. Wagner

Plaintiff's Attorney

None

Defendant's Attorney

FEB 13 1940

Return No

COLLECT COSTS FROM
DEFENDANT

The State of Alabama,

COUNTY.

I hereby certify that the within Judgment and costs in
this case are correct, and there was a waiver of exemp-
tion as to personal property under the Constitution and
Laws of Alabama.

This day

of 19

Clerk.

Received in Office

February 13th 1940
W. R. Stewart

Sheriff.

Sheriff's Execution Docket, page

Sheriff's Fee Book, page

Returned 3.30 to 40
No property of J. D. Thomas
found in Baedwin
J. D. Thomas
W. R. Stewart
Sheriff

paid 486.10

ALL RIGHTS RESERVED

Sheriff.

19

day of

M, this

o'clock

COUNTY.

The State of Alabama,

levied

PLAINTIFF'S WITNESSES

AMOUNT

DEFENDANT'S WITNESSES

TOTAL

THE STATE OF ALABAMA,
Baldwin County.

No. 543

CIRCUIT COURT

June Term, 1940

To Any Sheriff of the State of Alabama, Greeting:

You are hereby commanded, That of the goods and chattels, lands and tenements of Farmers & Merchants Bank of Foley, a corp Plaintiff in the suit, you cause to be made the sum of \$12.60 Dollars, costs of suit, created by said Plaintiff, for that, whereas, on the 29 day of January 1940, the said Plaintiff recovered by the Judgment of the said Circuit Court of said County, against L. D. Thomas

Defendant to the suit, the sum of _____ Dollars, besides _____ Dollars, costs of suit; upon which Judgment an Execution has been issued and returned by the Sheriff, "No property found."

AND HAVE YOU THAT MONEY ready to render to R. S. Dush Clerk of said Court, and make return of this Writ and the Execution thereof, according to law. Witness my hand this 25 day of June 1940

R. S. Dush Clerk

CLERK'S FEES		Dollars	Cts	SHERIFF'S FEES		Dollars	Cts
For every Summons and Complaint	\$1 25	1	25	For Levying an Attachment	\$3 00		
Each copy thereof	30		30	Entering and Returning Attachment	25		
Entering a Sheriff's Return	20		20	Summoning Garnishee	1 50		
Docketing	25		25	Serving Summons on Writ	1 50	1	50
Entering Appearance	20		20	Serving Notice Sci. Fa. Notice, etc.	65		
Filing	10		10	Serving Subpoenas	65		
Every Order made in Court	30		30	Empanelling Jury	75		
Copy thereof	25		25	Entering and Returning Execution	25		25
Every Trial with or without Jury	75		75	Collecting Costs Execution	1 50	1	50
Entering up Judgment or copy thereof	30		30	Executing a Writ of Possession	2 50		
Issuing Execution	50		50	Taking and Approving Bonds	1 00		
Docketing Execution	25		25	Commissions			
Entering Return on Execution	20		20	Sheriff's Commission for Property Sold Under Attachment			
Issuing Subpoenas	30		30	Seizing Personal Property on Writ of Detinue	3 00	3	25
Administering Oath	25		25	RECAPITULATION			
Issuing Each Attachment Taking Bond	1 00			Clerk's Fees		6	60
Filing Attachment	10			Sheriff's Fees		3	25
Each Summons for Garnishee	50			Justice's Fees			
Each copy	50			Witness Fees in Justice of Peace Court			
Notice to Deft. in Garnishee on Summons and Copy, per 100 words	20			Constable's Fees			
Commissions to take Depositions or copy	75			Commissioner's Fees			
Order to Execute Writ of Inquiry	30			Printer's Fees			
Copy of Interrogators, 15c per hundred words or	50			Witness Fees in Circuit Court			
Filing each Deposition and endorsing same	20			Former Clerk's Fee			
Final Record, per hundred words	15	1	25	Stenographers's Fees	5 00		
Every Certificate	50			Trial Tax	3 00	3	00
Taking Bond not otherwise provided for	75						
Witness Certificates	25						
Continuance	10						
Certificate of Judgment	50		50				
Order of Publication	1 00		50				
<u>Recording Certificate</u>							
		6	60			12	85

THE STATE OF ALABAMA,
Baldwin County.

By virtue of the within execution, I have at -----

o'clock, --- M., this 29 day of August 1940 ~~1939~~

Collected the within named Cost \$12.85
from the Plaintiff The Farmers & Merchant Bank of
Holey also a Conf.

W.R. Stuart Sheriff
By John C. Davis Jr

Sheriff

COLLECTION COSTS FROM

The State of Alabama,
BALDWIN COUNTY

I hereby certify that the within
and costs in this case are correct, and there was
waiver of exemption as to personal pro-
perty under the Constitution and Laws of Ala-
bama.

This --- day of --- 193---

Clerk.

Received in office

June

25 1940

Sheriff

W.R. Stuart

Sheriff's Execution Docket, Page ---

Sheriff's Fee Book, --- Page ---

JUN 25 1940

No. 543

Page

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT

The Farmers & Merchant Bank

Holey also a Conf.,

Plaintiff--

vs.

J. D. Davis

Defendant--

Civil Execution for Costs
Against Plaintiff

Costs - - - - - \$ 12.85

Civil Fee Book, Costs Page 543

Execution Docket, " Page "

Filed June 25, 1940

R. S. Davis Clerk.

Lloyd A. Magney

Plaintiff's Attorney

Defendant's Attorney

JUN 25 1940