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STATE OF ALABAMA)
)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon CHARLES SUBEL, 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 Central Baldwin Bank.

WITNESS my hand this 22 day of May, 1943.

R A Bueck

Clerk

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CENTRAL BALDWIN BANK, a Corporation, Plaintiff, vs. CHARLES SUBEL, Defendant.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW COMPLAINT

1. Plaintiff claims of the Defendant TWO HUNDRED EIGHTY & 94/100 ($280.94) DOLLARS for money on the 15th day of June, 1942, and on the 20th day of June, 1942, received by the Defendant to the use of the Plaintiff, which sum of money, with the interest thereon, is still unpaid.

2. Plaintiff claims of the Defendant the sum of TWO HUNDRED EIGHTY & 94/100 ($280.94) DOLLARS for that, on all of the dates hereinafter mentioned, the Plaintiff was operating a commercial bank in the Town of Robertsdale, Alabama, and the Defendant was a depositor in said bank and had a checking account therein.

That on the 9th day of June, 1942, by an error of its Clerk, there was entered on the ledger account of Defendant with said Plaintiff bank, a credit in the amount of TWO HUNDRED EIGHTY ONE & 19/100 ($281.19) DOLLARS to which the Defendant was not entitled

but which should have been credited to the account of another depositor of the Plaintiff.

That thereafter and on or about the 15th day of June, 1942, the Defendant requested of the Plaintiff a statement of his account, which Plaintiff prepared and gave to Defendant and upon such statement of account, there appeared such credit of TWO HUNDRED EIGHTY ONE & 19/100 ($281.19) DOLLARS, to which the Defendant was not entitled.

That upon seeing such statement, the Defendant, without notifying Plaintiff of its said mistake, wrote various and sundry checks against his said checking account, drawing out substantially all of the money in said account, including said amount of TWO HUNDRED EIGHTY ONE & 19/100 ($281.19) DOLLARS credited to said account by mistake, all of which checks were paid by the Plaintiff without knowledge of said mistake.

That upon discovery of said mistake, Plaintiff charged against the account of the Defendant said sum of TWO HUNDRED EIGHTY ONE & 19/100 ($281.19) DOLLARS and credited the same to the account of its other depositor, where it should have been credited, except for said mistake, with the result that the account of Defendant with the Plaintiff was over-drawn by said amount of TWO HUNDRED EIGHTY & 94/100 ($280.94) DOLLARS for which Plaintiff sues.

Plaintiff further avers it has paid out to the Defendant, or on his order and for his benefit, said sum of TWO HUNDRED EIGHTY & 94/100 ($280.94) DOLLARS and that Defendant has been unjustly enriched thereby in said amount and, although demand for payment of said amount has many times been made upon the Defendant by the Plaintiff, he fails and refuses to pay the same and said sum, together with the interest thereon remains unpaid, Wherefore, Plaintiff sues.

Attorney for Plaintiff

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Received in Sheriff's Office
this 26 day of May, 1943
W. R. STUART, Sheriff

Executed 5/27 1943
by serving copy of within Summons and Complaint on

Charles Subel

W R Stuart Sheriff

By B J Lucas Deputy Sheriff

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

CENTRAL BALDWIN BANK, a Corporation,

Plaintiff,

vs.

CHARLES SUBEL,

Defendant

COMPLAINT

Filed May 27, 1943
R. Lucas
Clerk

LLOYD A. MAGNEY
ATTORNEY AT LAW
FOLEY, ALABAMA