

1121

SUMMONS & COMPLAINT

THE STATE OF ALABAMA:

IN THE CIRCUIT COURT OF BALDWIN COUNTY
ALABAMA

BALDWIN COUNTY:

TO ANY SHERIFF OF THE STATE OF ALABAMA: You are hereby commanded to summon GENERAL F. MILLER and OZENE MILLER, to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against GENERAL F. MILLER and OZENE MILLER, by the Farmers & Merchants Bank of Foley, Alabama.

Witness my hand this the 4th day of December, 1947.

Alice J. Welch
CLERK

FARMERS & MERCHANTS BANK
An Alabama corporation, of
Foley, Alabama
Plaintiff

-vs-

GENERAL F. MILLER and
OZENE MILLER
Defendants

IN THE CIRCUIT COURT OF BALDWIN
COUNTY. ALABAMA

AT LAW

COMPLAINT

The Plaintiff claims of the Defendant \$200.00, due by promissory note, made by them on the 8th day of March, 1947, and payable six months after date, on to-wit, October 8, 1947, with interest thereon at 8% per annum from maturity, to-wit, October 8, 1947.

And the Plaintiff avers that in said note and as a part of the consideration thereof, the Defendants, waived their rights to payment of this debt, all rights of exemption under the Constitution and Laws of the State of Alabama, or any other state in the United States and agreed to pay a reasonable attorney's fee for the collection thereof, and the Plaintiff claims the sum of \$50.00, as such attorney's fee.

Forest A. Christian
Forest A. Christian
Foley, Alabama
Attorney for Plaintiff

The Defendants live in Foley, Alabama.

There is attached hereto and made a part hereof an itemized statement of the amount of this claim, verified by the affidavit of a competent witness. Made before and certified to by a Notary Public which shows the amount owed on this claim as of December 3, 1947.

Forest A. Christian
Forest A. Christian

THE STATE OF ALABAMA:


BALDWIN COUNTY:

AFFIDAVIT OF E. F. SANDERS

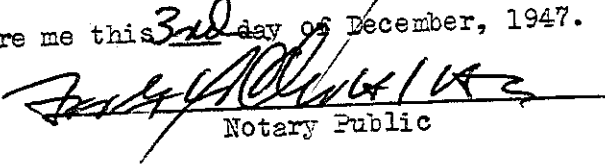
E. F. Sanders, first being duly sworn, deposes and says as follows:

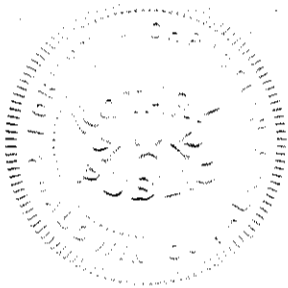
My name is E. F. Sanders, I am the Executive Vice-President of the Farmers and Merchants Bank of Foley, Alabama. On March 8, 1947, General F. Miller and Ozene Miller came to our bank and borrowed \$200, and as evidence of said debt, the said General F. Miller and Ozene Miller executed a certain promissory note to the said Farmers & Merchants Bank in the amount of \$200, which was due and payable six months from date or on October 8, 1947.

This note provided for interest at the rate of 8% per annum from maturity until paid. This note had a waiver of exemption and also provided for a reasonable attorney's fee. The bank has employed Forest A. Christian to collect this note. The amount due on this note is the total principal of \$200, with interest thereon at 8% from October 8, 1947.


E. F. Sanders

Sworn and subscribed to before me this 3rd day of December, 1947.


Notary Public



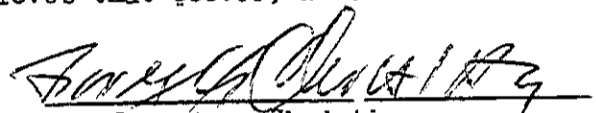
THE STATE OF ALABAMA:

BALDWIN COUNTY:

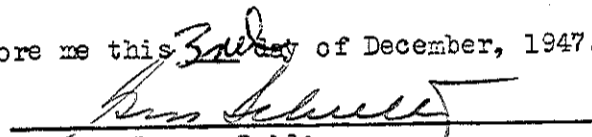
AFFIDAVIT OF FOREST A. CHRISTIAN

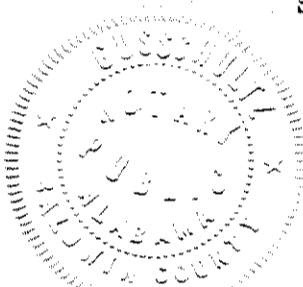
Forest A. Christian, first being duly sworn, deposes and says as follows:

That he is a duly licensed attorney, practising law at Foley, Alabama; that he knows the reasonable fee to be charged for legal services by members of the Bar of the State of Alabama and more especially Baldwin County in said state; that the Farmers & Merchants Bank of Foley, Alabama, employed him to collect a debt owed by General F. Miller and Ozene Miller on a promissory note, in which the Defendants agreed to pay all costs of collection, or attempting to collect, including reasonable attorney's fees whether incurred with or without suit; and that he believes that \$30.00, is a reasonable fee in this matter.


Forest A. Christian

Sworn and subscribed to before me this 3rd day of December, 1947.


Notary Public



Received in Sheriff's Office
this 6 day of Dec., 1947
TAYLOR WILKINS, Sheriff

Ex- ted 12-18 1947
by giving copy of within Summons and
Complaint on

General F. Miller
Ozene Miller

Taylor Wilkins Sheriff
H. F. Hall Deputy Sheriff

Foley
1121

SUMMONS AND COMPLAINT

FARMERS & MERCHANTS BANK
of Foley, Alabama

vs.

GENERAL F. MILLER and
OZENE MILLER

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

FILED

DEC 4 1947

ALICE J. DUCK, Clerk

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA