

1160

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon CLAUDE PETEET 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 CLAUDE PETEET by MR. AND MRS. B. K. THIEM.

Witness my hand this the 15th day of March, 1948.

W. J. Huch
Clerk

.....

MR. AND MRS. B. K. THIEM, Plaintiffs)	IN THE CIRCUIT COURT OF
vs.)	BALDWIN COUNTY, ALABAMA
CLAUDE PETEET, Defendant)	IN LAW

COMPLAINT

The Plaintiffs claim of the Defendant the sum of THREE THOUSAND DOLLARS (\$3,000), principal amount, due by promissory note made by him on January 21, 1947, and "payable \$500.00 Feby. 1st, 1947 and \$250.00 and interest monthly after date hereof," with interest thereon which amount as of March 21, 1948, will be \$67.75.

In, by and as a part of said note the Defendant waives all rights of exemption under the Constitution and Laws of the State of Alabama or any other State in the United States, and agrees to pay for the advertising, selling, conveying and attorney's fees, which fee plaintiffs alleges to be \$500.00, and claims herewith.

B. K. Thiem
Mr. B. K. Thiem
Mrs. B. K. Thiem
Mrs. B. K. Thiem
Forest A. Christian
Forest A. Christian, Foley, Alabama
Attorney for Plaintiffs

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 March 15, 1948.

Forest A. Christian

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

AFFIDAVIT OF B. K. THIEM

B. K. Thiem, first being duly sworn, deposes and says as follows:

That he is the Plaintiff in the case of Mr. and Mrs. B. K. Thiem vs. Claude Peteet, that on January 21, 1947, Claude Peteet executed one promissory note to Mr. and Mrs. B. K. Thiem in the principal amount of \$5,100.00, which was due and payable as follows: "Payable \$500.00 Feby. 1st, 1947, and \$250.00 and interest monthly after date hereof," that the payments made on said note are as follows: February 5, 1947, \$500.00, leaving a principal balance of \$4,600.00; March 5, 1947, \$250.00, leaving a principal balance of \$4,350.00; and on January 28, 1948, \$500.00, which was applied as follows: \$30.00 of which was paid to Attorney Forest A. Christian, as attorney's fees, (having delivered the note to him for collection on December 13, 1947) and the balance of \$270.00 was applied to the delinquent interest. Accordingly, there is a principal balance of \$4,350.00 due and a balance of interest of \$67.75. However, since this note does not provide for acceleration of payments in case of delinquency or default, we are at this time suing only for the amount due, which is \$5,000.00, plus the aforesaid interest of \$67.75, which pays the interest to March 21, 1948.

B. K. Thiem
Affiant

Sworn to and subscribed before me, a Notary Public, this the 13th day of March, 1948.

Forest A. Christian
Notary Public

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

AFFIDAVIT OF FOREST A. CHRISTIAN

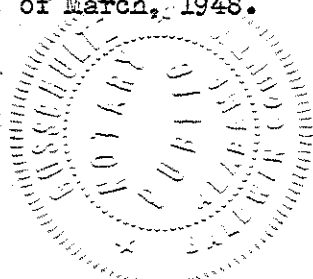
Forest A. Christian, first being duly sworn, deposes and says as follows:

That he is a duly licensed attorney practicing in Foley, Alabama, and as such attorney, he knows the fees charged by members of the Bar in the various legal matters, and that he believes that a fee of \$500.00, is a reasonable fee in the case of Mr. and Mrs. B. K. Thiem vs. Claude Peteet, and that this note was delivered to him for collection on December 13, 1947, and that he has had considerable expense in attempting to collect this note without suit.

Forest A. Christian
Affiant

Sworn to and subscribed before me, a Notary Public, this the 13th day of March, 1948.

Wm. Schell
Notary Public



11
Received in Sheriff's Office
this 15 day of Mar, 1948
TAYLOR WILKINS, Sheriff

Executed March 17 19 48
by serving copy of within Summons and
Complaint on

Claude Peleert

Taylor Wilkins Sheriff
by H. F. 1948 Deputy Sheriff

Cover or

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1160
RECORDED

SUMMONS AND COMPLAINT

MR. AND MRS. B. K. THIEM,
Plaintiffs

vs.

CLAUDE PELEERT,
Defendant

CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, AT LAW

FILED
MAR 15 1948
ALICE J. DUCK, Clerk

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA