

Received 29 day of April 1957
and on 8 day of May 1957
served a copy of the within s/c
on C. E. Gavin - Mrs. C. E.
Gavin

by service on _____

TAYLOR WILKINS, Sheriff
Baldwin County, Ala.

(2) Y. J. J. J.
8. mi. h. o. 3 1/2 mi.

Sheriff claims 172 miles at
Ten Cents per mile Total \$ 17.20
TAYLOR WILKINS, Sheriff
BY Chidress
DEPUTY SHERIFF

RECORDED 3223

SUMMONS AND COMPLAINT

C. F. HELLER,
Plaintiff,

-VS-

C. E. GAVIN and MRS.
C. E. GAVIN,
Defendants.

(((((

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
LAW SIDE

(((((

RECORDED

FILED
CECIL G. CHASON
ATTORNEY AT LAW
FOLEY, ALABAMA 1957
APR 27
AUGIE L. DUCK, Clerk

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

April 26, 1957

3223

Mrs. Alice J. Duck, Clerk
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Summons and Complaint in the action
of C. F. Heller -vs- C. E. Gavin and Mrs. C. E. Gavin.

Yours very truly,


C. G. Chason

CGC:fm

encls. 3

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

June 7, 1957

CERTIFIED MAIL

Mrs. Alice J. Duck, Clerk
Bay Minette, Alabama

Dear Mrs. Duck:

I am enclosing herewith a Motion for a Judgment by Default, based on a Promissory Note, and am enclosing herewith the Note, which shows credits for the only payments made. Please ask Judge Hall to hand down this Judgment.

I am also sending you herewith .50¢, and request that a copy of the Judgment be immediately filed for record, and sent to me after recordation.

Yours very truly,



C. G. Chason

CGC:fm

encls. 3

C. F. HELLER,

Plaintiff,

-vs-

C. E. GAVIN and MRS.

C. E. GAVIN,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

MOTION FOR JUDGMENT BY DEFAULT

Comes the Plaintiff in the above styled cause, and showing unto this Honorable Court that more than thirty (30) days have lapsed since service of Summons and Complaint on the Defendants, moves for Judgment by default in the amount of \$836.50, principal and interest to date, and \$125.00 as attorneys fees, all in accordance with the terms of the Promissory Note which is the basis of this action.


Attorney for Plaintiff

STATE OF ALABAMA)
BALDWIN COUNTY) IN THE CIRCUIT COURT . . LAW SIDE . .

TO ANY SHERIFF OF THE STATE OF ALABAMA:-

You are hereby commanded to summon C. E. Gavin and Mrs. C. E. Gavin 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 same, then and there to answer the complaint of C. F. Heller.

WITNESS my hand this the 27 day of April, 1957.

Beris J. Durr
Clerk

- COMPLAINT -

C. F. HELLER,)	
Plaintiff,)	IN THE CIRCUIT COURT OF
-vs-)	BALDWIN COUNTY, ALABAMA
C. E. GAVIN and MRS.)	LAW SIDE
C. E. GAVIN,)	
Defendants)	

COUNT I

The Plaintiff claims of the Defendants Eight Hundred Dollars (\$800.00) due by Promissory Waive Note made by them on, to-wit, September 25, 1956, payable in installments of One Hundred Dollars (\$100.00) per month, beginning November 1, 1956, and in default since January 1, 1957, plus interest at the rate of six per cent (6%) per annum on One Thousand Dollars (\$1,000.00) from September 25, 1956, to December 7, 1956, and interest at the rate of six per cent (6%) per annum on Eight Hundred Dollars (\$800.00) from December 7, 1956.

The Plaintiff avers that in and by the terms of said note the Defendants waived all rights of exemption under the Constitution and Laws of Alabama, as to personal property, and of this waiver the Plaintiff now claims the benefit.

The Plaintiff further avers that in and by the terms of said note the Defendants agreed to pay all costs of collecting or securing, or attempting to collect or secure this note, including a reasonable attorney's fee, and the Plaintiff further claims of the Defendants the further and additional sum of One Hundred Fifty Dollars (\$150.00) as such reasonable attorney's fee.



Attorney for Plaintiff