

ROBERTSDALE STATE BANK,  
An Alabama Corporation,

Plaintiff,

-vs-

MARTIN KRCHAK,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Comes the Defendant in the above styled cause and demurs to the Complaint in this cause filed, and as grounds of demurrer assigns, separately and severally, the following:-

FIRST.

For that said Complaint does not state a cause of action.

SECOND.

For that said Complaint is vague and indefinite and the allegations therein made are not sufficient to apprise the Defendant of what he is called upon to answer.

THIRD.

For that according to the allegations of said Complaint this debt is not payable until the 23rd day of August, 1931.

FOURTH.

For aught that appears this debt was not due at the time of the filing of said Complaint.

FIFTH.

For that said Complaint does not state that there is any money now due and owing by the Defendant, Martin Krchak, to the Plaintiff, Robertsdale State Bank, a Corporation.

Hypert, Heard & Chesser  
Attorneys for Defendant.

LAW OFFICES  
RICKARBY & COBB  
ROBERTSDALE, ALA.

June 29th, 1931

Thomas W. Richerson, Esq.  
Clerk Circuit Court  
Bay Minette, Alabama

Dear Sir:-

ROBERTSDALE STATE BANK VS KROCHAK: There is a strong probability that this case will be settled and so I will ask you to let me know the amount of costs to date, so that I can secure this for you. Please let me have this by return mail if possible.

Sincerely,

*Elliott L. Rickaby*

R:F

STATE OF ALABAMA.  
COUNTY OF BALDWIN.

TO ROBERTSDALE STATE BANK, GREETINGS:

You are hereby commanded to be and appear before the next terms of the Circuit Court to be held for Baldwin County on the third Monday in August 1931, then and there to answer as garnishee in the attachment at the instance of the Robertsdale State Bank against the estate of Martin Krchak either at the time of the service of this garnishment or at the time of making your answer or at any time intervening you are indebted to the defendant, and whether you will be indebted in future to defendant by a contract then existing or whether by contract you are liable to the defendant for the delivery of personal property or for the payment of money which may be discharged by the delivery of personal property, and whether you have in your possession or under your control money or effects belonging to the defendant, and this you shall in no wise omit.

Witness my hand as sheriff of Baldwin County, Alabama,  
this the 12th day of June, 1931.

Sheriff.

*W.R. Stuart*

RECORDED

ROBERTSDALE STATE BANK.  
Plaintiff.

VS.

MARTIN KRCHAK  
Defendant.

SHERIFF'S WRIT OF  
GARNISHMENT.

Filed June 15<sup>th</sup> 1931  
D. W. Rice  
Clerk

RICKABBY & COBB  
Attys.

Executed June  
12<sup>th</sup> 1931 by  
Serving Copy  
of the within  
Notice on  
Thos F Rickart as  
Cashier of The  
Robertsdale State  
Bank

W. R. Sargent  
Sheriff

By W. Van Antwerp  
Deputy Sheriff

State of Alabama.  
COUNTY OF BALDWIN.

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

WHEREAS, THOMAS F. RICKERT has complained on oath to me, Thomas W. Richerson, Clerk of the Circuit Court of Baldwin County, that MARTIN KRCHAK is justly indebted to the ROBERTSDALE STATE BANK in the sum of THREE HUNDRED AND SEVENTY NINE DOLLARS and affidavit having been made and bond given as required by law.

YOU ARE HEREBY COMMANDED to attach the funds belonging to said defendant at the Robertsedale State Bank of Robertsedale, Alabama, or so much thereof as will be sufficient to satisfy the said debt and costs according to the complaint and such property, unless replevied so to secure, that same may be liable to further proceedings thereon to be held at the next term of the Circuit Court of Baldwin County, Alabama when and where you must make known how you have executed this writ.

Witness my hand at Bay Minette this the 12th day  
of June, 1931.

*Thomas W. Richerson*  
Clerk Circuit Court.

Original

RECORDED

Robertsdale State Bank

vs.  
Martin Kiebas

Writ of Attachment

Filed June 12th 1931

D. W. McQuinn  
Clerk

RECORDED

Created June  
12th 1931 by

Serving Copy  
of the Writ  
of Attachment  
on John F. Pickett  
as Cashier of  
Robertsdale State  
Bank

W. R. Stewart  
sheriff

By W. W. Antwerp  
Deputy Sheriff

# The State of Alabama, }

Baldwin County.

CIRCUIT ~~XXXXXX~~ JUSTICE COURT AT Bay Minette, ALA.

Know All Men By These Presents, That we, ROBERTSDALE STATE BANK  
as Principal and Wm. P. Baldwin and Thomas F. Rickart as sureties,  
all  
of the County of Baldwin State of Alabama  
are held and firmly bound unto

M. A. R. T. I. N. K. R. A. C. H. A. K.  
in the sum of SEVEN HUNDRED AND SIXTY Dollars, to  
be paid to the said Martin Krchak, his

heirs, executors, administrators, or assigns, for which payment, well and truly to be made, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly, severally and firmly by these presents.

Sealed with our seals and dated the 11th day of June 1931, 192

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas, the above bounden,

ROBERTSDALE STATE BANK  
has S, on the day of the date hereof, prayed an Attachment at the suit of  
itself  
against the estate of above named Martin Krchak  
for the sum of Three hundred and seventy-nine Dollars,  
and hath obtained the same returnable to the Circuit Court of Baldwin County.

NOW, if the said Robertsdale State Bank  
should prosecute said Attachment to effect, and pay the Defendant all such costs and damages as  
he may sustain, by the wrongful or vexatious suing out of said Attachment, then the  
above obligation to be void: otherwise to remain in full force and effect.

And we and each of us hereby waive all rights of claim of exemption we or either of us have  
now, or may hereafter have, under the Constitution and Laws of the State of Alabama.

Signed, Sealed and delivered the date above written.

Robertsdale State Bank  
By Thomas F. Rickart (SEAL)  
W. P. Baldwin (SEAL)

Approved this 12th day of June 1931, A. D., 1931

W. P. Rickart J. P.  
Clerk Circuit Court Baldwin County

The State of Alabama,  
Baldwin County.

XXXXXXXXXXXXXXXXXXXX

JUSTICE COURT AT \_\_\_\_\_, ALA.

Before me, ~~Bernice Folmar~~, a Notary Public

in and for said County, personally appeared ~~Thomas F. Rickert~~

who being duly sworn, on oath saith that MARTIN KRCHAK is

justly indebted to

.....the R.O.B.E.R.T.S.D.A.L.E...S.T.A.T.E...B.A.N.K.....

in the sum of Three Hundred and Seventy-nine ----- Dollars, which said

amount is justly due after allowing all just offsets and discounts and that the said  
Martin Krchak has absconded from the State of Alabama and secretes

himself so that process of the law cannot be served upon him and

is now a nonresident of the State of Alabama

and that this Attachment is not sued out for the purpose of vexing or harassing the Defendant, or  
other improper motive.

Subscribed and sworn to before me this 11th day of June 1931 192

Thomas F. Rickert

Bernice S. Folmar

J. P.

Notary Public, Baldwin County, AL

RECORDED

The State of Alabama,

Baldwin County.

CIRCUIT  
JUSTICE COURT

AT Bay Minette, ALA.

ROBERTSDALE STATE BANK

VS

MARTIN KRCHAK.

Attachment Bond and Affidavit

Filed this the 12th day

of June 1931 192

Clerk

RICKARBY & COBB.

Attorney

RECORDED



The State of Alabama }  
Baldwin County

CIRCUIT COURT--LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon

M A R T I N    K R C H A K

to appear within thirty 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

T H E   R O B E R T S D A L E    S T A T E   B A N K

Witness my hand, this *13th* day of June

1931.

*J. W. Keenan* Clerk.

COMPLAINT

ROBERTSDALE STATE BANK  
Plaintiff.  
An Alabama corporation.

VS.

MARTIN KRCHAK  
Defendant.

The plaintiff claims of the defendant THREE HUNDRED AND SEVENTY NINE DOLLARS due by promissory note made by him on, to-wit, the 22nd day of May, 1931 and payable on the 23rd day of August, 1931 with interest thereon.

Plaintiff avers that by the terms of said note the defendant waived all right of exemption as against any process for the collection thereof and further agreed to pay a reasonable attorneys fee for said collection which fee plaintiff now claims in the further sum of FIFTY DOLLARS.

*R. C. Cobb & Co.*  
Attorneys for plaintiff.

*Original*

No.

Received in office                      day of  
19

Sheriff of \_\_\_\_\_ County, Ala.

Executed by serving *2* cop *7*  
of the within Summons and Complaint on  
*Martin Kraach*

Defendant

This the *22* day of *June* 19 *31*

*W. R. Stuart*  
Sheriff of *Baldwin* County, Ala.  
By *A. P. Pruitt*  
Deputy Sheriff.

ROBERTSDALE STATE BANK.  
Plaintiff.

VS.

MARTIN KROCHAK  
Defendant.

IN CIRCUIT COURT OF BALDWIN COUNTY

*Term 19*

SUMMONS AND COMPLAINT

Filed in office this *22<sup>nd</sup>* day of

A. D. 19 *31*

*James D. Williamson* Clerk.  
Plaintiff's Attorney.

Moore Printing Co. :::: Day Minette, Ala.

RICKARBY & COBB  
Attys.