

V. B. McALEER, as Trustee in :
Bankruptcy of Tilton Grocery :
Company, a corporation, :

Plaintiff, : IN THE CIRCUIT COURT OF

-Vs- :

MRS. KARL BERGMAN, E. M. TIL- : BALDWIN COUNTY, ALABAMA
TON, SR., and F. O. TILTON, :

Defendants. :
:

Comes the plaintiff and moves the Court to enter a judgment by default against the defendant and in favor of the plaintiff in the above styled cause, and for grounds for said motion shows unto the Court that the complaint and summons in said cause were served upon the defendants on or before the 21st day of October, 1931, and no appearance has been made or entered by or for the defendants since said date;

And plaintiff says further that the debt sued upon is evidenced by a promissory note for \$100.00, together with interest thereon from the 23rd day of June, 1931, amounting to \$3.50, and attorney's fee amounting to \$16.50, or a total of \$120.00, on which the defendant is entitled to credit for \$20.00 paid since said suit was filed, leaving a balance of \$100.00, for which the plaintiff asks judgment against said defendants.

Gray & Bon
Attorneys for Plaintiff

STATE OF ALABAMA :

BALDWIN COUNTY :

I, T. W. Richerson, Clerk of the Circuit Court of Baldwin County, Alabama hereby certify that the above styled suit was filed in the law side of this court on the day of September, 1931, that the summons and complaint were thereafter by me duly issued to Honorable Ramsey Stuart, Sheriff of Baldwin County, to be served upon the defendants, and that said Sheriff thereafter made his return to me, showing that he had served a copy of said summons and complaint upon Mrs. Karl Bergman on October 21, 1931, on E. M. Tilton on September 9, 1931; and on F. O. Tilton, September 13, 1931.

I further certify that no appearance, demurrer, plea or answer has been filed by or for either of said defendants in said cause.

Witness my hand, this the 30 day of November, 1931.

T W Richerson
Clerk.

RECORDS

CONFIDENTIAL

Filed Nov 30th 1931
J. W. Beckman
clerk

THE STATE OF ALABAMA :
BALDWIN COUNTY :

TO ANY SHERIFF OF THE STATE OF ALABAMA :-

You are hereby commanded to summon Mrs. Karl Bergman, E. M. Tilton, Sr., and F. O. Tilton, 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 V. B. McAleer, as Trustee in Bankruptcy of Tilton Grocery Company, a corporation,

WITNESS my hand, this the 10th day of September, 1931.

J. W. Reimer, CLERK,

V. B. McALEER, as Trustee in Bankruptcy of Tilton Grocery Company, a corporation,	)	
	)	IN THE CIRCUIT COURT
Plaintiff,	)	OF BALDWIN COUNTY,
-Vs:-	)	ALABAMA.
MRS. KARL BERGMAN, E. M. TILTON, SR., and F. O. TILTON,	)	
	)	Defendants.)

Count One

The plaintiff alleges that on or about the 17th day of April, 1931, the Tilton Grocery Company, a corporation, was duly adjudicated a bankrupt in the District Court of the United States for the Southern District of Alabama, and that on or about the 8th day of May, 1931, at a meeting of creditors duly called and held, plaintiff was duly appointed trustee in bankruptcy of said Tilton Grocery Company, a corporation, that he duly qualified as such trustee and is still acting as such; and as such trustee the plaintiff claims of the defendants the sum of \$100.00 due by a promissory note executed by the defendants on the 23rd day of March, 1931, and payable thereafter, to-wit, ninety days after date, to the order of E. M. Tilton, Sr., by whom said note was indorsed and transferred to said Tilton Grocery Company before said corporation was adjudicated a bankrupt; which sum of money, together with legal interest thereon, is still due and unpaid.

Count Two

The Plaintiff claims of the defendants the further and additional sum of \$25.00 as an attorney's fee for collecting the money sued for in Count One, the defendants having agreed in and by said notesto pay all costs of collecting, including a reasonable attorney's fee, and plaintiff says that said sum is reasonable.

The Plaintiff says that in and by the note sued on, the defendant waived all right of exemption of personalty under the laws and Constitution of Alabama, and for all the money sued for in counts 1 and 2 the plaintiff desires to have the benefit of said waiver.

Bergman at Foley
Tiltons at Robertsdale

Gray & Poir
Attorneys for Plaintiff.

Executed this day the
21th of Oct. By
serving a copy of the
within summons on
Mrs Karl Bergman.

W R Stuart
Sheriff
By J. W. D. S.

Executed Sept 9th 1931
By serving copy of the
within summons
on plaintiff with E M Tilton
and on Sept. 13th 1931 served
copy on F O Tilton

J. W. D. S.
W R Stuart
Sheriff

Original

RECORDED
V. W. Tilton
Trustee
VS

Mrs Karl Bergman
et al

Filed Sept 10/1931
J. W. D. S.
Clerk

Mrs Karl Bergman
Ellen Bergman

E M Tilton 9/10/31 app
F O Tilton 9/13/31 app

Roberts del