

UNITED STATES FIDELITY AND
GUARANTY COMPANY, A Corporation,

Plaintiff,

vs.

BEN D. BISHOP,

Defendant.

* IN THE CIRCUIT COURT OF

* BALDWIN COUNTY, ALABAMA

*

AT LAW

*

*

CASE NO. 5644

*

C O M P L A I N T

COUNT ONE

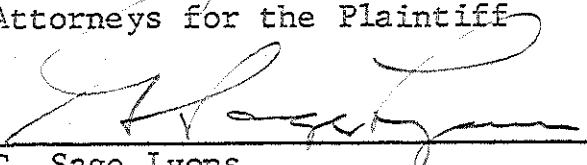
The plaintiff claims of the defendant the sum of FOUR-HUNDRED FOUR and 05/100 (\$404.05) DOLLARS due from him by account on, to-wit, October 8, 1962, which sum of money with the interest thereon is still unpaid.

COUNT TWO

The plaintiff claims of the defendant the sum of FOUR-HUNDRED FOUR and 05/100 (\$404.05) DOLLARS, the balance due by promissory note made and executed by him on, to-wit, the 8th day of October, 1962, in Mobile, Alabama, and payable within thirty (30) days thereafter. Plaintiff avers that in said note and as a part of the consideration thereof, the defendant waived as to this debt for himself and family any rights to the benefits of the homestead and exemptions provided for by the laws of any State or the United States, as against this debt, and further waived demand, protest and notice of demand, protest and non-payment. Plaintiff further avers that in said note and as a part of the consideration thereof, the defendant agreed to pay an attorney's fee if collected by law which the plaintiff alleges and claims to be, to-wit, \$100.00.

WHEREFORE, the plaintiff claims of the defendant the sum of, to-wit FIVE-HUNDRED FOUR and 05/100 (\$504.05) DOLLARS with interest thereon.

LYONS, PIPES & COOK
Attorneys for the Plaintiff

By: 
G. Sage Lyons

Please serve defendant at:

Rt. 1, Box 42
Fairhope, Alabama

FILED

JUL 23 1967

ALICE L. DUCK, CLERK
REGISTER

LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE 8, ALABAMA

JOSEPH H. LYONS (1900-1957)

SAM W. PIPES, III

WALTER M. COOK

FRANK T. POPE, JR.

GORDON B. KAHN

IRWIN W. COLEMAN, JR.

G. SAGE LYONS

August 26, 1963

Mrs. Alice J. Duck
Clerk, Circuit Court of
Baldwin County, Alabama
Baldwin County Courthouse
Bay Minette, Alabama

Re: United States Fidelity and Guaranty Company, a
corporation, Plaintiff, vs. Ben D. Bishop,
Defendant, In the Circuit Court of Baldwin
County, At Law, Case No: 5644

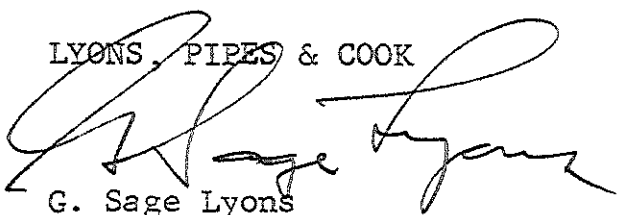
Dear Mrs. Duck:

Enclosed herewith please find our letter to Judge Hall
asking that the Court enter a judgment by default against
the defendant under Count Two of the Complaint filed
herein. You will note that the letter to Judge Hall
encloses the Promissory note therein executed by the
defendant as proof of the allegations thereof.

Please present this to Judge Hall at his convenience and
advise when judgment has been entered. Thank you for your
attention to this matter.

Very truly yours,

LYONS, PIPES & COOK


G. Sage Lyons

GSL/sab

Enclosures

LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE 8, ALABAMA

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IRWIN W. COLEMAN, JR.
G. SAGE LYONS

August 26, 1963

Hon. Hubert Hall
Judge, Circuit Court of
Baldwin County, Alabama
Baldwin County Courthouse
Bay Minette, Alabama

Re: United States Fidelity and Guaranty Company,
a corporation, Plaintiff, vs. Ben D. Bishop,
Defendant, In the Circuit Court of Baldwin
County, Alabama, At Law, Case No: 5644

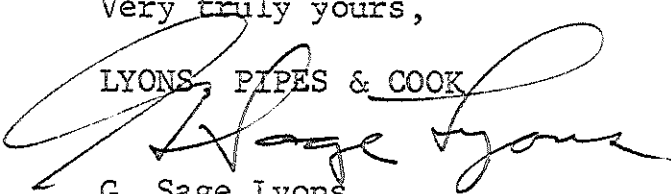
Dear Judge Hall:

More than thirty (30) days having elapsed since personal service on the above-named defendant and there being no plea, answer or demurrer filed herein by the defendant, it is respectfully requested that the Court enter a judgment by default against the defendant and for the plaintiff under Count Two of the Complaint in the amount of Five-Hundred Four and 05/100 (\$504.05) Dollars.

Enclosed herewith please find the promissory note executed by the defendant as proof thereof. You will note that the Promissory note is in the amount of \$404.05 and that we have asked for attorney's fees of \$100.00.

Very truly yours,

LYONS, PIPES & COOK


G. Sage Lyons

GSL/sab

Enclosure

\$ 404.00

Oct 8, 1962

\$ _____ 19 62

On or before _____, after date, _____ promise to pay

United States Fidelity and Guaranty Company, or order, Four hundred and four

+ @ 5/100

Dollars for value received, at _____

_____ with interest from date at the rate of _____ per cent. per annum until paid, and all costs of collection, including attorney's fees if collected by law or through an attorney.

And each of us, whether maker or endorser, hereby severally waives and renounces for himself and family any rights to the benefits of the homestead and exemptions provided for by the laws of any State or the United States, as against this debt or any renewal thereof and each further waives demand, protest and notice of demand, protest and non-payment.

This note is one of a series of 17 notes, aggregating the amount of Twenty-five

100/100

Dollars, as evidenced by _____

_____ of even date, owing by me to said payee. It is expressly agreed that time is of the essence of this contract, and should I fail to pay any one of said notes within thirty (30) days from the time said note becomes due, then all of said notes shall become due and collectible at the option of the holder; and I hereby authorize any attorney of any Court of record in the United States or other country to appear for me, and confess judgment against me, in favor of the holder of this note for the amount due thereon with interest, attorney's fees and costs.

Given under my hand and seal.

Witness:

Simone Martin

Ben D. Bishop (Seal)

(Seal)

(Seal)

No. _____

LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE 8, ALABAMA

JOSEPH H. LYONS (1900-1957)

SAM W. PIPES, III

WALTER M. COOK

FRANK T. POPE, JR.

GORDON B. KAHN

IRWIN W. COLEMAN, JR.

G. SAGE LYONS

July 22, 1963

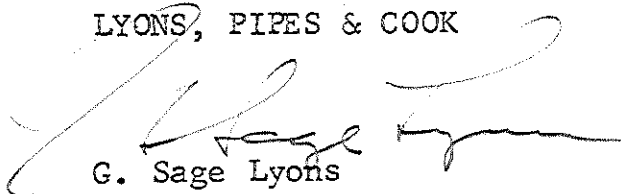
Mrs. Alice J. Duck
Clerk, Circuit Court of
Baldwin County, Alabama
Baldwin County Courthouse
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith please find Complaint which we
respectfully request be filed in this Court.

Very truly yours,

LYONS, PIPES & COOK



G. Sage Lyons

GSL/sab

Enclosure

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,
BALDWIN COUNTY

No. 5644

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Ben D. Bishop

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
Ben D. Bishop, Defendant

by United State Fidelity and Guaranty Company, a corp

Plaintiff

Witness my hand this 23 day of July 19 63

Ed-7-26-63

Alice J. Duck

Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

UNITED FIDELITY and GUARANTY COMPANY
a corp.

Plaintiffs

vs.

BEN D. BISHOP

Defendants

SUMMONS and COMPLAINT

Filed 7-23, 19 63

Alice J. Duck, Clerk

Defts. address: Fairhope

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

July 23, 1963

Sheriff

have executed this summons
this July 26, 1963

by leaving a copy with

Ben D. Bishop

Sheriff claims 70 miles at

Ten Cents per mile Total \$ 7.00
TAYLOR WILKINS, Sheriff

BY DEPUTY SHERIFF

Sheriff

Deputy Sheriff

Taylor Wilkins
Eastburn & Fairburn
Clay City