

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Charles E. Bishop and Beryl S. Bishop to appear and answer, plead or demur, within thirty days from the service hereof, to a Bill of Complaint filed against them in the Circuit Court, at Law, for said County and State by The Bank of Fairhope, a Corporation.

Herein fail not. Due return make of this writ as the law directs.

Witness my hand this the 13 day of June, 1957.

James M. Bailey
CLERK OF COURT

THE BANK OF FAIRHOPE,
A CORPORATION,

PLAINTIFF

VS.

CHARLES E. BISHOP and
BERYL S. BISHOP,

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NUMBER

3268

COUNT ONE:

The Plaintiff claims of the Defendants the sum of \$451.69 due by promissory note made by them on, to-wit, the 18th day of May, 1956, which sum of money, with interest thereon, is due and unpaid; and Plaintiff avers that in and by the terms of said note, Defendants waived all rights of exemption under the laws of the state of Alabama, and Plaintiff claims the benefit of said waiver; Plaintiff claims of the Defendants the additional sum of \$67.64 as attorney fees for bringing this suit for that the Defendants by and in the terms of said note agreed to pay a reasonable sum as attorney fees and Plaintiff hereby claims \$67.64 as such attorney fee.

James M. Bailey
ATTORNEY FOR PLAINTIFF

State of Alabama

BALDWIN COUNTY

TO Charles E. BISHOP and BERYL S. BISHOP, Defendant^s:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of.....

The Bank O f Fairhope

Plaintiff

versus Charles E. Bishop and Beryl S. Bishop, Defendant^s,

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which Alma L.

Huffman, as executrix of the estate of Laura E. Bishop and Charles L. Bishop

ha..... been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 26

day of August, 1957

Alma L. Huffman
Clerk of the Circuit Court.

STATE OF ALABAMA	I	CIRCUIT COURT, BALDWIN COUNTY
BALDWIN COUNTY	I	AT LAW
BANK OF FAIRHOPE,	I	
Plaintiff	I	
VS.	I	
CHARLES E. and BERYL S.	I	
BISHOP,	I	
Defendants.	I	

BANK OF FAIRHOPE, GARNISHEE.

ANSWER OF GARNISHEE

Now comes ALMA F. HUFFMAN, as Executrix of the Estate of LAURA E. BISHOP, Garnishee in the above stated cause, and for answer to the Writ of Garnishment, served upon her on the third day of September, 1957, upon oath says that she is not indebted to the above named Defendant and was not indebted to the above named Defendant at the time of service of this Garnishment in the above stated cause or at the time of making her answer hereto, or at the time of making her answer hereto: and that she will not be indebted in future to the said defendant by any contract then existing, or at the time of this summons; and that she has not in her possession, or under her control, personal or real property, or things in action, belonging to the said CHARLES E. BISHOP and BERYL S. BISHOP.

Garnishee further states that all the funds in the Estate of LAURA E. BISHOP, which have come into her possession or under her control, have been distributed to the heirs, in accordance with the terms of the Will, except TWO HUNDRED AND FIFTY-FIVE DOLLARS and THIRTY-TWO CENTS (\$255.32), which is retained by this Executrix to pay her commissions and the expenses of closing said Estate. The Garnishee further states that it has been impossible to collect all the funds due the Estate, and she does not expect to collect any further funds for the Estate within the next two months, and the Defendant, CHARLES E. BISHOP, is an heir to the Estate.

Garnishee having fully answered, prays to be discharged with her reasonable costs in this behalf expended.

Alma F. Huffman
GARNISHEE

Subscribed and sworn to before me this ____ day of _____, 1957.

GARNISHMENT ON SUMMONS

Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama—Greeting:

Whereas, The Bank of Fairhope

has commenced suit by Summons and Complaint returnable to the next term of the Circuit Court of said

County, against Charles E. Bishop and Beryl S. Bishop

for the sum of Four Hundred Fifty One and 69/100 Dollars and whereas, the said

The Bank of Fairhope

has entered into bond, and made affidavit as required by law that the said Charles E. Bishop

and Beryl S. Bishop

are indebted to it in the sum of Four Hundred Fifty One and 69/100

Dollars, and that process of garnishment is believed to be necessary to obtain satisfaction of such judgment

as may be recovered by Plaintiff, and that Alma L. Huffman, as executrix of the

estate of Laura E. Bishop, and Charles L. Bishop

are believed to be chargeable as garnishee in the cause.

YOU ARE THEREFORE, commanded to summon the said Alma L. Huffman, as executrix of the estate of Laura E. Bishop, and Charles L. Bishop

_____ to be and appear at the _____ next _____ term of the Circuit Court, to be holden for the County of Baldwin, xx within thirty (30) days _____ 1957., then and there to answer, upon oath, whether, at the time of the service of this garnishment, or at the time of making your answer, or at any time intervening between the time of serving the garnishment and making the answer, you were indebted to the defendant, and whether, you will not be indebted to him in the future by a contract then existing, and whether by a contract then existing, you are liable to him for the delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and whether you have not in your possession or under your control money or effects belonging to the defendant.

Witness my hand this 26th day of August, 19-57

Clerk.

BOND

The State of Alabama, }
Baldwin County

CIRCUIT COURT

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, The Bank of Fairhope and

are held and firmly bound unto Charles E. Bishop and Beryl S. Bishop

in the sum of Nine Hundred Three and 38/100 (\$903.38) DOLLARS,

to be paid to the said Charles E. Bishop and Beryl S. Bishop, their

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 this 26th day of August, 1957

THE CONDITION OF THE ABOVE OBLIGATION IN SUCH, That whereas, the above bound

The Bank of Fairhope

has commenced suit in the Circuit Court of said County by summons and complaint, which have issued from said Court, to recover of said Charles E. Bishop and Beryl S. Bishop

the sum of Four Hundred Fifty One and 69/100 (\$451.69) Dollars,

and has on the day of the date hereof, prayed that Writ of Garnishment issue out of said Court to

Mrs. Alma L. Huffman, as executrix of the estate of Laura E. Bishop,
and Charles E. Bishop

summoning them to answer what they are indebted to said Defendant, or what effects of said

Defendant they have in their possession, or under their control; and

said Plaintiff having made oath as required by law in such cases, said Writ is about to issue out of said

Court, returnable to the next Term of the Circuit Court, to be holden for Baldwin County.

NOW, if the said Plaintiff shall prosecute the Garnishment to effect, and pay the Defendant all such costs and damages as they may sustain, by reason of the wrongful or vexatious suing out of this Garnishment, then this 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 Alabama, and we hereby severally

certify that we have property free from all incumbrance, to the full amount of the BANK OF FAIRHOPE, FAIRHOPE, ALA.
above bond.

By W. S. Bishop (Seal) PRES.

AND A. L. Lamm (Seal) V. PRES.

(Seal)

Approved this 26 day of Aug A. D., 1957

Alice Duck Clerk.

THE BANK OF FAIRHOPE,
A CORPORATION,

Plaintiff,

VS.

CHARLES E. BISHOP and
MRS. CHARLES E. BISHOP,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NO. 3268

Come the defendants in the above styled cause, by their
Attorney, Telfair J. Mashburn, Jr., and, for answer to the
complaint heretofore filed in said cause, say:

1. That the allegations of the complaint are untrue.

Telfair J. Mashburn, Jr.
ATTORNEY FOR DEFENDANTS.

Defendants demand that this cause be tried by a jury.

Telfair J. Mashburn, Jr.
ATTORNEY FOR DEFENDANTS.

LAW OFFICES
E. G. RICKARBY
BANK BUILDING
FAIRHOPE, ALABAMA

June 5, 1958

Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

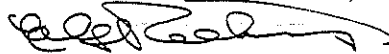
Dear Mrs. Duck:

Inre: Bank of Fairhope
Vs: Charles E. Bishop,
Alma L. Huffman, Executrix,
Garnishee. Case #3268
File: 4009

In this case the Bank of Fairhope garnished my client, Mrs. Huffman, to collect the debt owed by Charles E. Bishop. We have already paid some money into Court. I am enclosing check for \$169.58, which Garnishee is paying into Court, being all the money she now has in her hands belonging to this defendant.

Please have the attorneys in this case tell me when to stop paying when I have paid in enough, and oblige.

Yours very truly,



EG^R/ts

cc: Telfair J. Mashburn, Esq.

cc: Earnest M. Bailey

5-20-58

cc: Mr. Charles E. Bishop