

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Charles E. Bishop and Mrs. Charles E. Bishop to appear and plead, answer 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.

Desert
Clerk of Court

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

CASE NUMBER

3269

COUNT ONE:

The Plaintiff claims of the Defendants the sum of \$403.34 due by promissory note made by them on, to-wit, the 22nd day of January, 1957, which sum of money, with interest thereon, is still 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 \$60.50 as attorney fees for bringing this suit for that the Defendants in and by the terms of said note agreed to pay a reasonable sum as attorney fees and Plaintiff hereby claims \$60.50 as such attorney fee.

Samuel M. Bailey
ATTORNEY FOR PLAINTIFF

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 Mrs. Charles E. Bishop

in the sum of Eight Hundred Six and 68/100 (\$806.68) DOLLARS,
to be paid to the said Charles E. Bishop and Mrs. Charles E. 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 Mrs. Charles E.

Bishop

the sum of Four Hundred Three and 34/100 (\$403.34) 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 H. E. Bishop PRES. (Seal)

AND R. H. Tucker (Seal) V. PRES

(Seal)

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

Clifford H. Duck Clerk.

THE BANK OF FAIRHOPE,
ACORPORATION,

Plaintiff,

VS.

CHARLES E. BISHOP AND

BERYL S. BISHOP,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NO.

Come the Defendants in the above styled cause, by their
Attorney, Telfair J. Mashburn, Jr., and for answer to the com-
plaint 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.

STATE OF ALABAMA

BALDWIN COUNTY

BANK OF FAIRHOPE,

Plaintiff

VS.

CHARLES E. and BERYL S.
BISHOP,

Defendants.

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CIRCUIT COURT, BALDWIN COUNTY

AT LAW

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.

State of Alabama

BALDWIN COUNTY

TO Charles E. Bishop and Mrs Charles E. Bishop, Defendant.s:

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

The Bank of Fairhope, Plaintiff.....

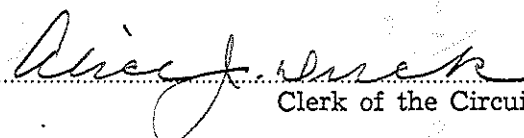
versus Charles E. Bishop and Mrs Charles E. Bishop, Defendant.s.,

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

have 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


Clerk of the Circuit Court.

State of Alabama
BALDWIN COUNTY

TO Charles E. Bishop and Mrs. Charles E. Bishop Defendant s.:

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

The Bank of Fairhope, Plaintiff,

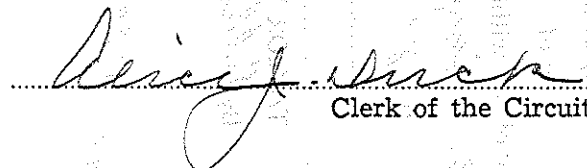
versus Charles E. Bishop and Mrs. Charles E. Bishop, Defendant s.,

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

has been named as Garnishee.....

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

day of Aug, 1957.


Clerk of the Circuit Court.

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

September 23, 1957

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

~~Dear Mrs. Duck:~~

Inre: Bank of Fairhope
Vs: Charles E. and Beryl S. Bishop
Bank of Fairhope, Garnishee
Our File No. 4009

In the above mentioned matter we are handing you Answer of
Garnishment in cases #3268 and #3269.

been

Please file. Copies of the above have/mailed to both Mr.
Mashburn and Mr. Bailey.

Yours very truly,



EGR/ahw
Encls.

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 Mrs. Charles E. Bishop

for the sum of Four Hundred Three and 34/100 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 Mrs. Charles E. Bishop

~~are~~ indebted to it in the sum of Four Hundred Three and 34/100

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 E. 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 E. 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 24 day of Aug, 1957

Chief Clerk
Clerk.