

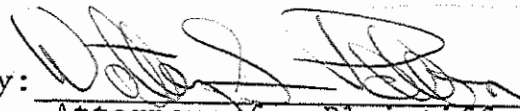
FIRST NATIONAL BANK OF BAY MINETTE,)	
A National Banking Association,)	IN THE CIRCUIT COURT OF
Plaintiff,)	
vs.)	BALDWIN COUNTY, ALABAMA
GEORGE J. BURROUGHS,)	
Defendant.)	LAW SIDE.
	7142

MOTION TO STRIKE:

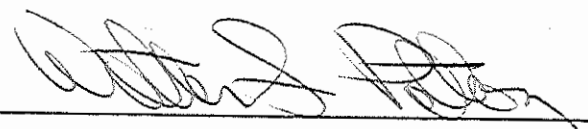
Comes now the Plaintiff, and moves the Court to strike the demand for Jury Trial contained in the Demurrer filed by the Defendant, George J. Burroughs on July 28, 1967, and for grounds thereof says:

That the Defendant, George J. Burroughs waived the right of a demand for Jury Trial by not demanding the same on his initial pleading.

OWENS AND PATTON

By: 
Attorneys for Plaintiff.

I, the undersigned, one of the attorneys of record for the Plaintiff in the foregoing cause, do hereby certify that I have forwarded a copy of the foregoing motion to Kenneth Cooper, the attorney of record for the defendant in the foregoing cause, by United States Mail, properly addressed, with postage prepaid on this the 1st day of August, 1967.



FILED

AUG 1 1967

ALICE J. DUCK CLERK
REGISTER

FIRST NATIONAL BANK OF
BAY MINETTE, A National
Banking Association,

Plaintiff,

Vs.

GEORGE J. BURROUGHS,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
LAW SIDE.

DEMURRER

Comes now the Defendant, George J. Burroughs, by his attorney,
and demurs to the Amended Complaint heretofore filed in this cause,
and for grounds therefor assign the following reasons, separately
and severally to the Complaint and to each and every count thereof,
to-wit:

1. The Complaint does not state a valid cause of action.
2. The Complaint is vague.
3. The Complaint is uncertain.
4. The Complaint fails to allege the amount of interest due.
5. The Complaint fails to allege the amount of the original
promissory note.
6. The Complaint fails to allege that Plaintiff owns the al-
leged promissory note.

Defendant demands a trial
by jury in this cause.

Kenneth Cooper
ATTORNEY FOR DEFENDANT

Kenneth Cooper
ATTORNEY FOR DEFENDANT

I hereby certify that I have served a copy of the foregoing
Demurrer on Hon. Walter S. Patton, Attorney At Law, Bay Minette,
Alabama, by depositing a copy of same in the United States mail
at Bay Minette, Alabama, addressed to him as above indicated by
first class mail, postage prepaid, on this 28 day of July
 , 1967.

Kenneth Cooper
ATTORNEY FOR DEFENDANT

FILED

JUL 31 1967

ALICE J. DUCK CLERK
REGISTER

FIRST NATIONAL BANK OF
BAY MINETTE, A National
Banking Association,

Plaintiff,

Vs.

GEORGE J. BURROUGHS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

DEMURRER

Comes now the Defendant, George J. Burroughs, by his attorney, and demurs to the Complaint heretofore filed in this cause, and for grounds therefor assign the following reasons, separately and severally to the Complaint and to each and every count thereof, to-wit:

1. The Complaint does not state a valid cause of action.
2. The Complaint is vague.
3. The Complaint is uncertain.
4. The Complaint fails to allege the amount due to be paid by Defendant on each of the installments.
5. The Complaint fails to allege when Defendant defaulted in the payments due.
6. The Complaint fails to allege when the installments became due after the 15th day of May, 1965.
7. The Complaint fails to allege the amount of interest due.
8. The Complaint fails to allege the amount of the original promissory note.

Kenneth Cooper
ATTORNEY FOR DEFENDANT

I hereby certify that I have served a copy of the foregoing Demurrer on Hon. Walter S. Patton, Attorney At Law, Bay Minette, Alabama, by depositing a copy of same in the United States mail at Bay Minette, Alabama, addressed to him as above indicated by first class mail, postage prepaid, on this 10 day of October, 1966.

FILED

OCT 10 1966

ALICE L. BOWEN, CLERK
REGISTER

Kenneth Cooper
ATTORNEY FOR DEFENDANT

FIRST NATIONAL BANK OF BAY MINETTE,)	
A National Banking Association,)	IN THE CIRCUIT COURT OF
)	
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	
GEORGE J. BURROUGHS,)	LAW SIDE.
)	
Defendant.)	

AMENDED COMPLAINT

Now comes the Plaintiff in the above styled cause, by its Attorneys, and amends the complaint heretofore filed in said cause, so that as amended, the same shall read as follows:

The Plaintiff claims of the Defendant the sum of TWO THOUSAND FOUR HUNDRED EIGHT AND 34/100 DOLLARS (\$2,408.34), the balance due by Promissory Note made by him on April 28, 1965, in the original amount of \$2952.00, and payable in 36 equal monthly installments of \$82.00 each, commencing on the 15th day of May, 1965, with a like installment payable on the 15th day of each successive month thereafter, with interest thereon at the rate of 8% per annum, from November 15, 1965, the date of default by Defendant; Plaintiff further alleges that in and by the terms of said note the failure to pay any installment accelerated the balance due under said note, and that said Defendant defaulted in his obligation to pay the installments as set out hereinabove.

Plaintiff further alleges that in and by the terms of said note, the Defendant waived all rights of homestead under the Laws of the State of Alabama, and Plaintiff claims the benefit of said waiver.

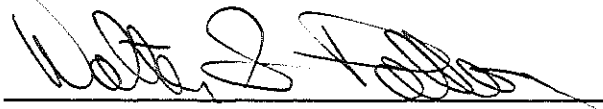
Plaintiff further alleges that in and by the terms of said note the Defendant agreed to pay all costs of collection, including a reasonable attorney's fee, and Plaintiff claims the further and additional sum of \$361.25 as a reasonable attorney's fee in the premises.

OWENS AND PATTON

By: W. A. Owens & J. F. Patton
Attorneys for Plaintiff.

FILED
 MAY 19 1965
 ALBANY, N.Y. CLERK
 REGISTER

I, the undersigned, one of the attorneys of record for the Plaintiff in the foregoing cause, do hereby certify that I have forwarded a copy of the foregoing amended complaint to Kenneth Cooper, the attorney of record for the Defendant in said cause, by United States Mail, properly addressed, with postage prepaid, this 19th day of May, 1967.



FILED

MAY 19 1967

AUG L. DICK, CLERK
REGISTERED

STATE OF ALABAMA)
BALDWIN COUNTY) IN THE CIRCUIT COURT - LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon GEORGE J. BURROUGHS, Stapleton, Alabama, 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, Alabama, Law side, by the First National Bank of Bay Minette, Plaintiff, against George J. Burroughs, as the Defendant.

WITNESS my hand this 24 day of August, 1966.

Beige J. J. J.
Clerk.

FIRST NATIONAL BANK OF BAY MINETTE,)
A National Banking Association,)
Plaintiff,) IN THE CIRCUIT COURT OF
vs.) BALDWIN COUNTY, ALABAMA
GEORGE J. BURROUGHS,)
Defendant.) LAW SIDE.
20.7142

The Plaintiff claims of the Defendant the sum of TWO THOUSAND FOUR HUNDRED EIGHT and 34/100 DOLLARS (\$2,408.34), the balance due by Promissory Note made by him on April 28, 1965, and payable in 36 installments, commencing on the 15th day of May, 1965, with interest thereon from November 15, 1965; Plaintiff further alleges that in and by the terms of said note the failure to pay any installment accelerated the balance due under said note, and that said Defendant defaulted in his obligation to pay the installments as set out hereinabove.

Plaintiff further alleges that in and by the terms of said note, the Defendant waived all rights of homestead under the Laws of the State of Alabama, and Plaintiff claims the benefit of said waiver.

Plaintiff further alleges that in and by the terms of said note the Defendant agreed to pay all costs of collection, including a reasonable attorney's fee, and Plaintiff claims the further and additional sum of \$361.25 as a reasonable attorney's fee in the premises.

Walter S. Patton

Attorney for Plaintiff.

EX- 9-14-66

FILED
NOV 24 1966
AUG 1. DICK, CLERK
REGISTER

no. 7142

First National Bank
of Bay Minette.

vs.

George J. Burroughs

Received 24 day of Aug 1908
and on 14 day of Sept 1908
I received a copy of the within
George J. Burroughs

Service on
TAYLOR WILKINS, Sheriff
By W. A. Tolbert
Shapleton

Sheriff claims 24 miles at
Ten Cents per mile Total \$ 2.40
TAYLOR WILKINS, Sheriff
BY W. A. Tolbert
DEPUTY SHERIFF

FILED
AUG 24 1908
ALICE J. DICK, CLERK
REGISTER

Walter Little
attn