

CHARLES A. BORN COMPANY, INC.,
a Corporation,

Plaintiff,

VS.

JOE BISHOP, Individually, & d/b/a
JOE BISHOP PLUMBING & HEATING CO.,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

LAW SIDE

NO. 7446

Comes the Plaintiff in the above styled cause and shows to the Court that this case is pending on the non-jury side of the Court, and that on the initial pleading, the defendant demanded a trial by jury;

Wherefore, Plaintiff moves that said cause be transferred from the non-jury side of the Court to the jury docket.


Attorney for Plaintiff

CERTIFICATE OF SERVICE

This is to certify that I have this day served on and for opposing party in the captioned cause, a copy of this petition by depositing in the United States Mail a sealed envelope with adequate postage prepaid thereon and P-P addressed.

This 11 day of Nov, 1967

E. C. [Signature]

Attorney for [Signature]
P. O. Box 471, Fairhope, Ala. 36531

FILED

NOV 15 1967

CLERK

CODE 205
Telephone: 928-9836

LAW OFFICES

Mailing Address
P.O. BOX 471

E. G. RICKARBY
35 SOUTH SECTION STREET
FAIRHOPE, ALABAMA 36532

April 1, 1967

Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama 36507

7446

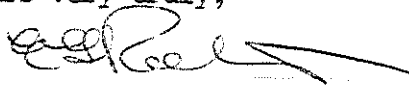
Dear Mrs. Duck:

Inre: Charles A. Born Company, Inc.
Vs: Joe Bishop Ind., & d/b/a Joe
Bishop Plumbing & Heating
File No. 66-305

Enclosed find Summons & Complaint of Charles A. Born Company vs. Joe
Bishop. Please process.

I am also enclosing deposit for costs in the sum of \$50.00.

Yours very truly,



EGR/jlb
Encls.
4-13-67

Our File No.66-305

Your File No.

LAW OFFICES
E. G. RICKARBY
35 SOUTH SECTION STREET
FAIRHOPE, ALABAMA 36532

CODE 205
Telephone: 928-9836
Mailing Address
P. O. BOX 471

April 5, 1968

Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama 36507

Dear Mrs. Duck:

Inre: Charles A. Born vs. Joe Bishop
Court Case: 7446

Enclosed find Motion we are filing in this cause
and am sending a copy to Mr. J. Conner Owens.

Yours very truly,



EGR/jlb
cc: Dun & Bradstreet, Inc.
cc: Mr. J. Conner Owens
4-16-68

CHARLES A. BORN COMPANY, INC.,
a Corporation,

Plaintiff,

VS.

JOE BISHOP, Individually, and
d/b/a JOE BISHOP PLUMBING &
HEATING CO.,

Defendant.

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

CASE NO. 7446

Comes the Plaintiff in the above-styled cause and shows to the Court that this case is continued because of the death of the Defendant, JOE BISHOP, and that Letters Testamentary in said estate have been issued in the case to BARBARA JEAN BISHOP, the personal representative of his estate, on the 30th day of December, 1967;

WHEREFORE, the Plaintiff moves that said cause be allowed to proceed against the estate of said deceased, in accordance with Section 153 of Title 7 of the Code of Alabama.


Attorney for Plaintiff

FILED

APR 8 1968

ALICE J. DUCK CLERK
REGISTER

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in an envelope with adequate postage prepaid thereon and properly addressed.

This 5th day of April 1968

E. G. FRAZIER


Attorney for Plaintiff
P. O. Box 471, Fairhope, Ala. 36531

CHARLES A. BORN COMPANY, INC.,
A Corporation,

Plaintiff,

VS.

JOE BISHOP, Individually, &
d/b/a JOE BISHOP PLUMBING &
HEATING CO.,

Defendant.

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

7446

Comes the Plaintiff and files with this instrument,
copies of invoices showing the charges made by the Plaintiff
against the Defendant from the 6th day of January, 1964, to the
30th day of September, 1966, together with a statement of the
account held by the Plaintiff against the Defendant, verified
by oath, as its bill of particulars in this cause.


Attorney for Plaintiff.

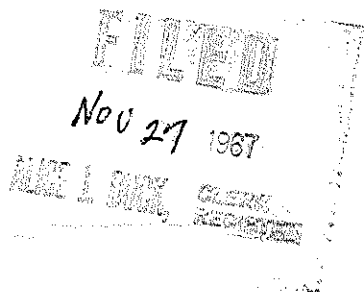
CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the
opposing party in the foregoing matter with a copy of this petition
by depositing in the United States Mail a copy of same in a
envelope with adequate postage prepaid thereon and prepaid
addressed.

This 21st day of Nov 1966

E. C. Hatcher


Attorney for Plaintiff
P. O. Box 471, Fairhope, Ala. 36532



CHARLES A. BORN COMPANY, INC.,)
A Corporation,)

Plaintiff,)

vs.)

JOE BISHOP, individually and
d/b/a JOE BISHOP PLUMBING &
HEATING CO.,)

Defendant.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE. NO. 7446.

ANSWER:

Now comes the Defendant in the above styled cause, by his Attorney, and for answer to the complaint heretofore filed and to each Count thereof, says as follows:

1. Not guilty.

OWENS AND PATTON

By: Walter S. Patton
Attorneys for Defendant.

Defendant demands a trial
of this cause by Jury.

Walter S. Patton
Attorneys for Defendant.

STATE OF ALABAMA)
(
BALDWIN COUNTY)

Now comes the Defendant in the foregoing cause, who first being duly sworn, deposes and says that he has examined the papers filed in this cause and upon information and belief, denies the correctness of the account and disputes a portion of the account, the exact amount or part thereof being unknown to him inasmuch as no itemization of the account is set forth in the complaint.

Joe Bishop
Joe Bishop.

Sworn to and subscribed before
me this 12th day of April, 1967.

Walter S. Patton

Notary Public, Baldwin County, Alabama.

I, the undersigned, one of the attorneys of record for the Defendant in the foregoing cause, do hereby certify that I have forwarded a copy of the foregoing answer to E. G. Rickarby, the attorney of record for the Plaintiff, by United States Mail, properly addressed, with postage prepaid, this 12th day of April, 1967.

Walter S. Patton

FILED

APR 14 1967

Alice L. Nye, CLERK
REGISTER

CHARLES A. BORN COMPANY, INC.,)
A Corporation,)

Plaintiff,)

vs.)

JOE BISHOP, individually and)
d/b/a JOE BISHOP PLUMBING &)
HEATING CO.,)

Defendant.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE. NO. 7446.

MOTION FOR BILL OF PARTICULARS

Now comes the Defendant in the above styled cause, by his attorneys of record, and moves this Honorable Court to require the Plaintiff in this cause to file a Bill of Particulars in this cause of the account sued upon in this cause and shows unto this Honorable Court that the only itemization set forth in the complaint is a copy of a ledger sheet beginning March 24, 1966, and concluded February 24, 1967, in which only credits are shown and no where does the Plaintiff set forth the dates or the amounts or the item for which the Defendant is charged in this suit.

OWENS AND PATTON

By: Walter S. Patton
Attorneys for Defendant.

I, the undersigned, one of the attorneys of record for the Defendant in the foregoing cause, do hereby certify that I have forwarded a copy of the foregoing motion to E. G. Rickarby, the attorney of record for the Plaintiff, by United States Mail, properly addressed, with postage prepaid, this 12th day of April, 1967.

Walter S. Patton

FILED

APR 14 1967

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ALICE L. BICK, CLERK
REGISTER

STATE OF ALABAMA,
COUNTY OF BALDWIN.

CIRCUIT COURT, BALDWIN COUNTY,
NO. 7446
TERM, 1967.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to Summon JOE BISHOP, Individually, and doing business as JOE BISHOP PLUMBING & HEATING CO., 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 JOE BISHOP, Individually, and doing business as JOE BISHOP PLUMBING & HEATING CO., Defendant, by CHARLES A. BORN COMPANY, INC., a Corporation, Plaintiff.

WITNESS my hand this 3 day of April, 1967.

Rigel Clerk.

CHARLES A. BORN COMPANY, INC.,
a Corporation,

Plaintiff,

VS.

JOE BISHOP, Individually, and d/b/a
JOE BISHOP PLUMBING & HEATING CO.,

Defendant.

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

C O M P L A I N T

Count I.

The Plaintiff claims of the Defendant FOUR THOUSAND SEVENTY-EIGHT AND 70/100 (\$4,078.70) DOLLARS due from him by account, on, to-wit, the 24th day of February, 1967, which sum of money with the interest thereon is still unpaid. The account sued on is evidenced by an itemized and verified statement filed herewith.

Count II.

The Plaintiff claims of the Defendant the sum of FOUR THOUSAND SEVENTY-EIGHT AND 70/100 (\$4,078.70) DOLLARS due from him by account stated between the Plaintiff and the Defendant on, to-wit, the 24th day of February, 1967, which sum of money with the interest thereon is still unpaid.

Cont'd, Summons & Complaint:

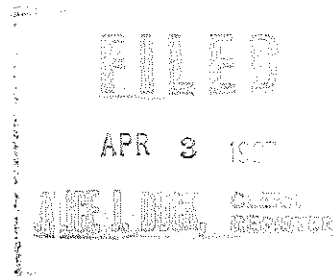
Charles A. Born vs. Joe Bishop.

Count III.

The Plaintiff claims of the Defendant the sum of FOUR THOUSAND SEVENTY-EIGHT AND 70/100 (\$4,078.70) DOLLARS due from him for goods, wares and merchandise sold by the Plaintiff to the Defendant between the 24th day of March, 1966, and the 24th day of February, 1967, which sum of money with the interest there on is still unpaid.


E. G. RICKARBY, Attorney for Plaintiff.

Debtor lives in Bay Minette, Alabama.



COUNTY OF Escambia
STATE OF Florida

SG-188 (13743)

Be it remembered, that on this 30th day of March 1967
A. D., 1967, personally appeared before me, the undersigned authority, Thomas Born
known to me
who being duly sworn, upon his oath stated that he is President
of Chas. A. Born Company, Inc.
{ a corporation organized and doing business under the laws of the State of Florida
{ and has been duly authorized by said corporation to make this affidavit
{ a partnership composed of
a sole trader doing business as Chas. A. Born Company, Inc.
and that as such he makes this affidavit; that he is familiar with the books and business of
said Chas. A. Born Co., Inc.; that the attached account against
Joe Bishop Plbg. & Heating of P.O. Box 631, Bay Minette, Ala.
is just and correct, within the knowledge of this affiant, that the items thereon stated and com-
posing the said account were sold and delivered to said Joe Bishop Plbg. & Htg. Co.
at ~~their~~ ^{his} special instance and request, that credit has been duly given for all payments and
just and lawful offsets to which said account is entitled as thereon stated, and that the balance
thereof, amounting to the sum of Four thousand seventy eight & 79/100 Dollars
(\$4,078.70) with interest from Feb. 24 1967 is justly due and
remains unpaid.

Thomas Born

X

I hereby certify under my official seal that I am authorized as a Notary Public to
administer oaths under the laws of the State of FLORIDA
and that the foregoing was subscribed and sworn to before me on the day and year
first above stated.

J. R. Bulich

Notary Public

County of ESCAMBIA State of FLORIDA
My commission expires OCTOBER 8 A. D. 1967

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24 4-10-67

JOE BISHOP,
PLUMBING & HEATING

BOX 631

SAY MINETTE, ALABAMA

RATING

ADDRESS

36527

CREDIT LIMIT

NAME

DATE	REF	DEBIT	CREDIT	DEBIT
DATE	REF	DEBIT	CREDIT	DEBIT
DATE	REF	DEBIT	CREDIT	DEBIT
MAR 24'66CH	44,712		256.19 -	13,711.21 °
MAR 24'66ST			30.65 -	13,680.56 °
MAR 24'66CH	44,713		112.20 -	13,568.36 °
MAR 24'66ST			12.49 -	13,555.87 °
MAR 24'66CH	44,714		1,097.52 -	12,458.35 °
MAR 24'66ST			63.52 -	12,394.83 °
MAR 24'66CH	44,715		1,563.37 -	10,831.46 °
MAR 24'66ST			62.53 -	10,768.93 °
MAR 24'66CS	40		1,500.00 -	9,268.93 °
APR 15'66CS	58		3,500.00 -	5,768.93 °
MAY 4'66	48,205	174.83 +		
MAY 4'66ST		6.99 +		5,260.52 °
JUL 20'66CH	54,710		174.83 -	5,085.69 °
JUL 20'66ST			6.99 -	5,078.70 °
JUL 25'66CS	130		500.00 -	4,578.70 °
SEP 30'66	60,433	✓ 180.20 +		
SEP 30'66ST		7.21 +		4,766.11 °
OCT 5'66CS	182		100.00 -	4,666.11 °
OCT 24'66CH	62,167		✓ 180.20 -	4,485.91 °
OCT 24'66ST			7.21 -	4,478.70 °
NOV 4'66CS	206		100.00 -	4,378.70 °
NOV 9'66CS	210		100.00 -	4,278.70 °
JAN 10'67CS	260		100.00 -	4,178.70 °
FEB 24'67CS	286		100.00 -	4,078.70 °

CHAS. A. BORN COMPANY
PENSACOLA, FLORIDA

NO. 7446

Charles A. Born Co.
inc. a corp

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Joe Bishop - ind &
d/b/a Joe Bishop Plumbing & Heating Co.

Subscribed 5 day of April 1967
and on 10 day of April 1967
I served a copy of the within etc
on Joe Bishop
By service on _____
TAYLOR WILKINS, Sheriff
By W. G. L. L. L.