

COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS
COURTROOM "B" FIRST FLOOR

The State of Alabama, }
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon JESSIE M. BISHOP

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 25 day of July, 19 67 at the hour of 9:00 A.M., then and there to answer a complaint of THE AMERICAN NATIONAL BANK & TRUST CO., OF MOBILE
A National Banking Association

of a debt or other demand not exceeding Seven Hundred Fifty Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this 20 day of June, 19 67.

W. J. Harris
Clerk of the Court of General Sessions of Mobile County.

Cause of Action

#1
COMPLAINT AND SUMMONS

Atty. for Plaintiff: HAMILTON, DENNISTON, BUTLER & RIDDICK

Atty. for Defendant:

**THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY**

No. 58401.....

Ret.

July 25, 1967

THE AMERICAN NATIONAL BANK & TRUST CO. OF MOBILE,
A NATIONAL BANKING ASSOCIATION
VS.

JESSE H. BISHOP
71 Brownwood Ave., Bay Minette, Ala.

Continued To

Executed by Service on

.....
Defendant

This day, 19.....

Sheriff of Mobile County

By
Deputy Sheriff

#1
THE AMERICAN NATIONAL BANK &
TRUST COMPANY OF MOBILE, a
National Banking Association,

Plaintiff,

-vs-

JESSIE M. BISHOP,

Defendant

Ø IN THE COURT OF
Ø GENERAL SESSIONS OF
Ø MOBILE COUNTY, ALABAMA.

Ø

Ø

Ø

CASE NO. _____

COUNT ONE

The Plaintiff claims of the Defendant the sum of, to-wit, THREE HUNDRED SIXTY-SEVEN and 50/100 DOLLARS (\$367.50), balance due by promissory note made by the Defendant on, to-wit, November 12, 1963, and payable in fifteen (15) successive monthly installments beginning on, to-wit, December 15, 1963. Plaintiff further alleges that in said note, and as a part of the consideration thereof, the Defendant agreed that in the event of default in the payment of any one of said installments when due, the holder of said note shall have the right to declare the entire indebtedness immediately due and payable, and the Plaintiff alleges that there has been a default in the payment of said installments, and the Plaintiff has elected to declare the entire indebtedness due and payable.

The Plaintiff further alleges that in said note and as a part of the consideration thereof, the Defendant waived all rights of exemption under the Constitution and Laws of the State of Alabama, and agreed to pay all costs of collection or securing or attempting to collect or secure said note, including a reasonable attorney's fee, which such attorney's fee the Plaintiff claims and alleges to be, to-wit, ONE HUNDRED TWENTY-TWO and no/100 DOLLARS (\$122.00).

HAMILTON, DENNISTON, BUTLER & RIDDICK

BY:

E. Fred Taylor
Trial Attorney for Plaintiff.

Defendant may be served at:

71 Brownwood Avenue
Bay Minette, Alabama.

JUN 15 1967

#2

COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS
COURTROOM "B" FIRST FLOOR

The State of Alabama,
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon JESSIE M. BISHOP

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 25 day of July, 19 67 at the hour of 9:00 A.M.,

then and there to answer a complaint of THE AMERICAN NATIONAL BANK & TRUST CO., OF MOBILE
A National Banking Association

of a debt or other demand not exceeding Seven Hundred Fifty Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this 20 day of June, 19 67

W. J. Thayer
Clerk of the Court of General Sessions of Mobile County.

Cause of Action

#2
COMPLAINT AND SUMMONS

y. for Plaintiff: **HAMILTON, DENNISTON, BUTLER & RIDDICK**
y. for Defendant:

**THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY**

No. *58401*

July 25, 1967

**AMERICAN NATIONAL BANK & TRUST CO. OF MOBILE,
NATIONAL BANKING ASSOCIATION**
VS.

SIE M. BISHOP
Bishop
Brownwood Ave., Bay Minette, Ala.

ued To *[Signature]*

RECEIVED

JUN 28 1967

TAYLOR WILKINS
SHERIFF

uted by Service on

Rossie M. Bishop
Defendant

14 day *July*, 19*67*
Baldwin
Sheriff of Mobile County

W. A. Zolbert
Deputy Sheriff

REC'D SHERIFF DEPT.
MOBILE COUNTY, ALA.

JUN 21 8 35 AM '67

BY

3

KENNETH COOPER
ATTORNEY AT LAW
109 EAST 1ST STREET
BAY MINETTE, ALABAMA 36507
TELEPHONE 937-7412
28 July, 1967

Clerk of the Court of General Sessions
Mobile County Courthouse
Mobile, Alabama 36600

Re: The American National
Bank vs Jessie M. Bishop.

Dear Sir:

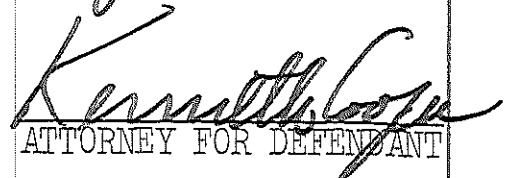
Inclosed herewith is a plea, which you are requested
to file in the above-styled case. You will note I've
mailed a copy of same to the attorneys of record.

Sincerely,


Kenneth Cooper

KC/lb
1 incl.

I hereby certify that I have served a copy of the foregoing PLEA on Hamilton, Denniston, Butler & Riddick, Attorneys At Law, American National Bank Building, Mobile, Alabama, by depositing a copy of same in the United States Mail at Bay Minette, Alabama, addressed to such firm as above indicated by first class mail, postage prepaid, on this 28 day of July, 1967.


ATTORNEY FOR DEFENDANT

THE AMERICAN NATIONAL BANK &
TRUST COMPANY OF MOBILE, a
National Banking Association,
Plaintiff,

-vs-

JESSIE M. BISHOP,
Defendant.

IN THE COURT OF
GENERAL SESSIONS OF
MOBILE COUNTY, ALABAMA

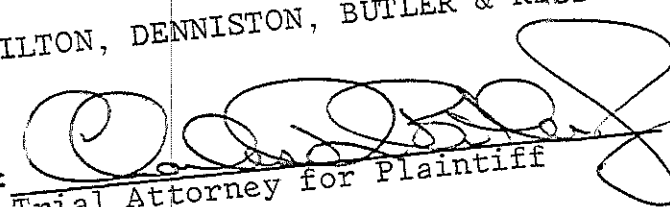
CASE NO. 58401

DEMURRER

Comes now the Plaintiff in the above styled cause and demurs, separately and severally, to Defendant's Plea in Abatement heretofore filed herein and to each ground thereof on the following separate and several grounds, viz:

1. Said plea is legally insufficient.
2. Said plea fails to allege that when this suit was commenced Defendant had a permanent residence in Baldwin County.
3. For aught that appears therefrom, Defendant had a permanent residence in Mobile County at the time this suit was commenced.
4. For aught that appears therefrom, Defendant was a permanent resident of Mobile County at the time this suit was commenced.
5. For aught that appears therefrom, Defendant was a permanent resident of Mobile County at the time the cause of action made the basis of this suit arose.

HAMILTON, DENNISTON, BUTLER & RIDDICK

BY: 
Trial Attorney for Plaintiff

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 16th
day of August, 1967, served a copy of the
foregoing pleading on counsel for all parties to this
proceeding by mailing the same by United States mail,
properly addressed, with first class postage prepaid.

#5

THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

Case No. 58401

The American National Bank & Trust Co. of Mobile, A National Banking Association	:	Filed:
Plaintiff	:	Summons Issued:
	:	Returnable:
VS	:	Service Had:
	:	Cause of Action:
Jessie M. Bishop	:	Attorney for Plaintiff:
Defendant	:	Attorney for Defendant:
	:	
Amount of Claim: <u>489.50</u>	:	
	:	

8-22-67
Deft's Plea in Abatement filed 7-31-67
Pltf's Demurrers filed 8-16-67.
9-5-67 Demurrers withdrawn and transfer to Baldwin County.

I hereby certify that the foregoing is a true and correct copy of the above styled cause, as it appears on record and in the files of The Court of General Sessions of Mobile County, Alabama.

Witness my hand this the 26th day of September, 1967.

J. D. Richardson
Clerk of The Court of General Sessions
of Mobile County, Alabama

Hamilton, Renshaw,
ATTORNEYS FOR PLTF:-
Butler & Riddick

COST BILL

THE STATE OF ALABAMA }
MOBILE COUNTY

The Court of General Sessions
of Mobile County

The American National Bank & Trust Co.
Plaintiff

Jesse M. Bishop
Defendant

CASE NO. *58401*

COURT FEES

Summons and proceedings thereon to judgment	\$1.00
Docketing each cause .....	.10
Attachment Bond and Affidavit	1.50
Issuing each Attachment .....	.50
Summoning Garnishee and taking examination .....	.75
Subpoena for each witness .....	.15
Execution and taxing costs thereon .....	.50
Each appeal or certiorari, including bond and certificate of proceedings	1.00
Every necessary Certificate or Notice not otherwise provided for .....	.25
For issuing each Writ of Detinue .....	.50
For each Scire Facias, or notice in the nature thereof .....	.50
Every other Bond .....	.50
Administering an oath and certifying the same .....	.25
Issuing Notice of Appeal .....	.25
Law Library Fee	1.00
Judgment Ni Si against Garnishee .....	.50
Writ of Discovery .....	.50
Writ of Contempt .....	.50
Writ of Arrest .....	.50
Alias Summons	1.00
Witness Fee fifty cents for each day's attendance	

TOTAL \$

SHERIFF'S FEES

Levying Attachment	6.00
Entering and returning same .....	.25
Summoning Garnishee and making return	1.50
Serving Summons and other mesne process, and returning the same	1.50
Summoning each Witness and returning Subpoena .....	.75
Collecting execution for costs only	1.50
Serving Scire Facias or other like notice	1.50
Serving any summons not herein provided for, and making return	1.50
Seizing personal property under Writ of Detinue	6.00
Taking care of such property, such just compensation as Court may fix	
Taking and approving bonds of every kind	2.00
When property is sold under execution or attachment	
Commission:	5%
When sale is stayed by restraining order	2 1/2%

Total \$
GRAND TOTAL \$ *6.35*

I respectfully call your attention to the above Court Cost Bill which if not paid by
19....., it will be my unpleasant duty to issue execution on your property for the recovery of the same.

G. V. ADAMS, Clerk

TRANSFER

NOTICE of ~~APPEAL~~

#7

STATE OF ALABAMA, }
MOBILE COUNTY }

The American National Bank & Trust Co. of
Mobile, A National Banking Association

Plaintiff

VS.

Jessie M. Bishop

Defendant

To -----
Jessie M. Bishop

in said Cause: The American Nat. Bank & Trust Co. VS Jessie M. Bishop

You are hereby notified that The American National Bank & Trust Co. of
of Mobile, a national banking association

the plaintiff in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama from an appeal from the judgment therein rendered by the Judge of the COURT OF GENERAL SESSIONS OF MOBILE COUNTY, and having complied with the requirements of the law in such cases made and provided, the same has been granted to the next term of the CIRCUIT COURT of Baldwin County to be held for said County, you are hereby notified accordingly.

Given under my hand this the 27 day of September 19 67

J. D. Richardson
Clerk, Court of General Sessions of Mobile County, Civil Division

#7
Case No.

58401

The American National Bank & Trust Co. of Mobile,
~~a national banking association~~

Plaintiff,

VS

Jessie M. Bishop

Defendant.

TRANSFER
NOTICE OF ~~APPEAL~~

Returnable To The Circuit Court

Issued: September 27, 1967

Serve On:

THE AMERICAN NATIONAL BANK
& TRUST COMPANY OF MOBILE, a
National Banking Association,

Plaintiff,

-vs-

JESSIE M. BISHOP,

Defendant

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. _____

Comes now the Plaintiff by its attorney and files the following interrogatories which are material in the said cause:

1. Can the Defendant read the English language?
2. Can the Defendant write the English language?
3. Has the Defendant ever attended school, and if so when, where, and for how long?
4. Has the Defendant signed her full name to any papers, instruments, or documents since January 1963?
5. Has the Defendant knowledge of any other person having signed her name to any writings, papers, or documents?
6. If the answer to Interrogatory No. 5 is "Yes", state by whom and their address.
7. If the answer to Interrogatory No. 4 or 5 is affirmative, please state what papers, instruments or documents.
8. Does the Defendant have any knowledge, from any source, of any of the facts or circumstances concerning the purchase of a 1955 Chevrolet, four door, Model 210, from A. E. Clary in November of 1963?
9. Has the Defendant ever owned the above referred to 1955 four door Chevrolet?
10. Has any member of the Defendant's family ever owned the above referred to 1955 four door Chevrolet?
11. Did any member of the Defendant's family ever purchase a 1955 four door Chevrolet from A. E. Clary in November 1963?
12. Has the Defendant ever had any business dealings with A. E. Clary either directly or through an intermediary?

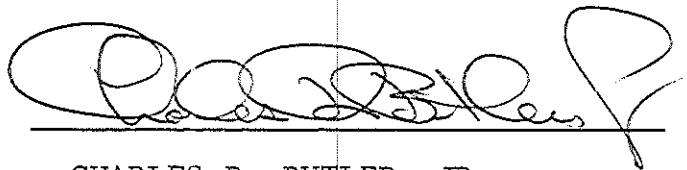
13. Does Defendant know who purchased the above referred to automobile from A. E. Clary if Defendant denies that she did?

14. Did the Defendant sign the chattel mortgage, a true copy of which is attached hereto and made a part hereof as if fully incorporated herein?

15. Does the Defendant know if anyone other than herself signed the promissory note, a copy of which is attached hereto and made a part hereof as if fully incorporated herein?

16. Has any member of the Defendant's family or any person Defendant knows ever owned a 1955 four door Chevrolet Model 210?

17. Has anyone to Defendant's knowledge ever purchased an automobile to furnish transportation for the Defendant?

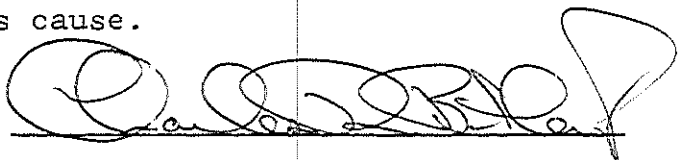


CHARLES R. BUTLER, JR.
Attorney for the Plaintiff

STATE OF ALABAMA)

COUNTY OF MOBILE)

Before me, the undersigned authority, personally appeared Charles R. Butler, Jr., who being by me first duly sworn, deposes and says that he is the attorney for the Plaintiff, The American National Bank & Trust Company of Mobile, in the above entitled cause and that the answer to the above and foregoing interrogatories, if well and truly made, will be material evidence for the Plaintiff at a trial of this cause.



Subscribed and sworn to before me on this the 20th day of November, 1967.


NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

ATTORNEY FOR DEFENDANT:
Kenneth Cooper
Bay Minette, Alabama.

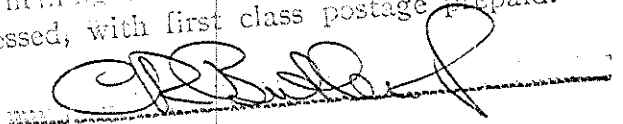
FILED

NOV 21 1967

NOTARY PUBLIC
MOBILE COUNTY, ALABAMA

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 20th day of November, 1967, served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States mail, properly addressed, with first class postage prepaid.



THE AMERICAN NATIONAL BANK
& TRUST COMPANY OF MOBILE,
a National Banking Association,

Plaintiff,

Vs.

JESSIE M. BISHOP,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 5762

ANSWERS TO INTERROGATORIES

Comes now the Defendant, Jessie M. Bishop, and files the following answers to the interrogatories heretofore filed in this cause by the Plaintiff, to-wit:

1. No.

2. No.

3. Yes - went to Douglasville School, at Bay Minette, Alabama, when I was about thirteen (13) years old, and stayed in school until I was about sixteen (16) years old.

4. No.

5. No, except they did sign my name to checks white people paid me for working for them.

6. Not applicable.

7. Not applicable.

8. No.

9. No.

10. I don't know - I don't know one car from another.

11. I don't know.

12. No - I don't know the man.

13. I do not.

14. No.

15. No.

16. Same as item 10, above.

17. No.

I am fifty-five (55) years old.

FILED

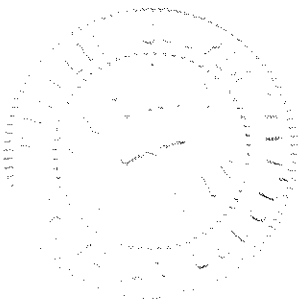
DEC 20 1967

ALICE J. DUCK CLERK
REGISTER

Witness -
Kenneth Cooper
Linda L. Byrd

Jessie M. Bishop
DEFENDANT

Subscribed and sworn to before me this 20 day of
December, 1967.



Kenneth Cooper
NOTARY PUBLIC,
STATE AT LARGE, STATE OF ALABAMA

I certify that I have mailed a copy of the foregoing
ANSWERS TO INTERROGATORIES to Hon. Charles R. Butler, Jr.,
P. O. Box 1743, Mobile, Alabama, by depositing the same in
United States Mail, postage prepaid, at Bay Minette, Alabama,
on this 20 day of December, 1967.

Kenneth Cooper
NOTARY PUBLIC,
STATE AT LARGE, STATE OF ALABAMA

THE AMERICAN NATIONAL BANK
& TRUST COMPANY OF MOBILE,
a National Banking Association,

Plaintiff,

Vs.

JESSIE M. BISHOP,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. _____

PLEA

1. General issue.

2. The allegations of the complaint are untrue.

3. The Defendant, for further answer to the complaint, saith
that the promissory note upon which the action was founded, was
not executed by her, or by anyone authorized to bind her in the
premises; and she makes oath that this plea is true.

Witness -

Kenneth Cooper

Linda Byrd

Jessie M. Bishop
DEFENDANT

Defendant demands a trial
by jury in this cause.

Kenneth Cooper
DEFENDANT

STATE OF ALABAMA
BALDWIN COUNTY

Before me, Kenneth Cooper, Notary Public, State at Large, State
of Alabama, personally appeared Jessie M. Bishop, who is known to
me, and who upon being duly and legally sworn, deposes and says that
the foregoing PLEA is true and correct.

Jessie M. Bishop
DEFENDANT

Subscribed and sworn to before me this 23 day of October, 1967.

Kenneth Cooper
NOTARY PUBLIC,
STATE AT LARGE, STATE OF ALABAMA

FILED

OCT 24 1967

ALICE J. DUCK

CLERK
REGISTER

I hereby certify that I have mailed a copy of the foregoing PLEA to Hon. E. Ted Taylor, P. O. Box 1743, Mobile, Alabama, by depositing the same in United States Mail, postage prepaid, at Bay Minette, Alabama, on this 27 day of October, 1967.

Kenneth Cooper
NOTARY PUBLIC,
STATE AT LARGE, STATE OF ALABAMA

THE AMERICAN NATIONAL BANK &
TRUST COMPANY OF MOBILE, a
National Banking Association,

Plaintiff,

Vs.

JESSIE M. BISHOP,

Defendant.

IN THE COURT OF
GENERAL SESSIONS OF
MOBILE COUNTY, ALABAMA.

CASE NO. 58401

PLEA

Comes now the Defendant, Jessie M. Bishop, in above-styled cause, and appearing specially for the purpose of filing the following plea, and for no other purpose, pleads in abatement to the complaint heretofore filed in this cause, and to each and every count thereof as follows, separately and severally, to-wit:

1. That this Honorable Court is without jurisdiction of the cause of action sued upon, because at the time the cause of action arose, and at the filing of this suit, the Defendant, Jessie M. Bishop, was a legal resident of Bay Minette, Baldwin County, Alabama, and still is a resident of said town and county.

Wherefore, the Defendant, Jessie M. Bishop, says she cannot be sued in Mobile County, Alabama, and that the Circuit Court of Mobile County, Alabama, has no jurisdiction of this cause of action made the basis of this suit and that this Court ought not to take further jurisdiction in this cause.

Defendant demands a trial by jury in this cause.

Kenneth Cooper
ATTORNEY FOR DEFENDANT

Kenneth Cooper
ATTORNEY FOR DEFENDANT

Subscribed and sworn to before me this 28th day of July, 1967.

James H. Lindsey
NOTARY PUBLIC,

JAMES H. LINDSEY
NOTARY, BALDWIN COUNTY, ALABAMA
MY COMMISSION EXPIRES JAN. 4, 1968