

P. O. DRAWER A-J

RICHARD C. LACEY

TELEPHONE 928-2373

ATTORNEY AT LAW

FAIRHOPE, ALABAMA 36532

September 27, 1967

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Re: Alvin L. Summers
Vs.
William Bethea

Dear Mrs. Duck:

Please have the enclosed Bill of Complaint served on
William Bethea.

Thank you.

Sincerely,

Richard C. Lacey
Richard C. Lacey (mt)

RCL:mt

Encls.

ALVIN L. SUMMERS,)	IN THE CIRCUIT COURT OF
Plaintiff)	BALDWIN COUNTY, ALABAMA
VS)	
)	AT LAW
WILLIAM BETHEA,)	
Defendant)	

Comes now the defendant, Tillman Clark Bethea a/k/a William Bethea by and through his attorney, B. F. Stokes, III, and respectfully moves this Honorable Court to stay all proceedings in this cause and as grounds therefor states as follows:

That the movant on or about October 3, 1967 filed his petition in the United States District Court of the Southern District of Alabama in Straight Bankruptcy Case No. 25,447 and that said proceeding is presently pending in said court and that the above captioned plaintiff was listed or will be added by amended petition, as a creditor therein.

WHEREFORE movant suggests bankruptcy and moves to stay all proceedings herein.

B. F. Stokes, III
 B. F. Stokes, III
 Attorney for defendant

CERTIFICATE OF SERVICE

I certify that on this 24 day of Oct, 1967 a copy of the foregoing pleading has been served upon counsel for all adverse parties to this proceeding by mailing the same to each by first class U. S. mail, properly addressed and postage prepaid.

B. F. Stokes, III
 ATTORNEY FOR Defendant

FILED

OCT 25 1967

ALICE J. DUCK CLERK
 REGISTER

ALVIN L. SUMMERS,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
VS.)	
WILLIAM BETHEA,)	AT LAW
Defendant.)	

COUNT I

Plaintiff claims of the Defendant ONE HUNDRED TEN DOLLARS (\$110.00) damages for breach of parol contract entered into by the Plaintiff and the Defendant in July, 1965, whereby the Defendant agreed to drilling a well for the Plaintiff to a depth of One Hundred Ninety (190) feet for the sum of One Hundred Ninety Dollars (\$190.00); the Plaintiff paid to the Defendant the sum of One Hundred Ninety Dollars (\$190.00) in accordance with the parol contract but the Defendant in fact drilled the well to a depth of only Eighty (80) feet thereby breaching said parol contract for which Plaintiff claims damages.

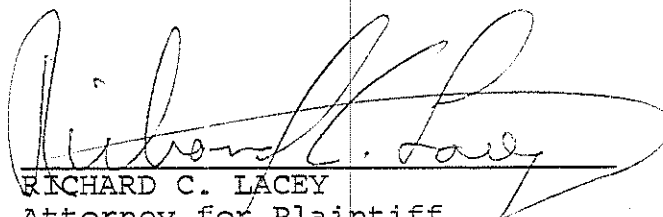
COUNT II

Plaintiff claims of the Defendant the sum of FIFTY DOLLARS (\$50.00) damages as breach of a parol contract entered into by the Plaintiff and the Defendant in July, 1965, the terms of which the Defendant agreed to insert pipe in a well for the Plaintiff to a depth of One Hundred Ninety (190) feet for the sum of ONE Hundred Dollars (\$100.00); the Plaintiff paid the Defendant the sum of One Hundred Dollars (\$100.00) for the pipe and the Defendant breached the parol contract by inserting the pipe to a depth of only Eight (80) feet thereby breaching the parol contract for which damage is claimed by the Plaintiff.

COUNT III

The Plaintiff claims of the Defendant TWO HUNDRED DOLLARS (\$200.00) damages for breach of a parol contract entered into by the Plaintiff and the Defendant in July, 1965, the terms of which the Defendant agreed to drill a well to a depth of One

Hundred Ninety (190) feet and insert pipe casing in the well to a depth of One Hundred Ninety (190) feet; the Plaintiff paid the Defendant and the Defendant did not drill the well to the depth of One Hundred Ninety (190) feet nor place pipe casing therein to a depth of One Hundred Ninety (190) feet causing the well to run dry and causing the Plaintiff to bear the expense of pulling the casing from the well drilled by the Defendant and re-drilling the well to a depth of One Hundred Ninety (190) feet thereby breaching the parol contract for which damages the Plaintiff claims.


RICHARD C. LACEY
Attorney for Plaintiff

Defendant May Be Served At:

Spanish Fort Plumbing & Septic Tank Service
Spanish Fort, Alabama

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No. 7774

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon William Bethea

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

William Bethea, Defendant

by

Alvin L. Summers, Plaintiff

Witness my hand this 29 day of Sept 19 67

W. J. French, Clerk

8-6-67

No. 7774

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Alvin L. Summers

Plaintiffs

vs.

William Bethen

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

FILED

SEP 29 1967

Clerk

ALICE J. DUCK

CLERK
REGISTER

R. Lacey

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED

Received In Office

OCT 2 1967 19.....

TAYLOR WILKINS

SHERIFF

Sheriff

I have executed this summons

this Oct 6 1967

by leaving a copy with

William Bethen
J. Galt

Sheriff claims 44 miles at

Ten Cents per mile Total \$ 4.40

TAYLOR WILKINS, Sheriff

BY

DEPUTY SHERIFF

Taylor Wilkins

Sheriff

Roy Randall

Deputy Sheriff