

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

Plaintiff

vs

JAMES E. BYRD

Defendant

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

Comes the defendant in the above styled cause and for answer to the complaint filed in said cause, shows unto this Honorable Court as follows:

1. He denies the allegations of said complaint.
2. Defendant has been adjudicated and discharged a bankrupt in Case No. 19,737, United States District Court for the Southern District of Alabama. *Copy attached and made a part hereof*

C. L. Davis Thompson
Attorney for defendant.

I hereby certify that I have this 19 day of February, 1969, served a copy of the foregoing on Honorable J. Conner Owens, Jr., by depositing copy of same in the U. S. Mail, postage prepaid, properly addressed to his office in Bay Minette, Alabama.

C. L. Davis Thompson
Attorney for defendant

FILED

FEB 19 1969

ALICE J. DUCK

CLERK
REGISTER

Schedule A-3.

CREDITORS WHOSE CLAIMS ARE UNSECURED.

[N. B.—When the name and residence (or either) of any drawer, maker, indorser, or holder of any bill or note, etc., are unknown, the fact must be stated, and also the name and residence of the last holder known to the debtor. The debt due to each creditor must be stated in full, and any claim by way of set-off stated in the schedule of property.]

Reference to ledger or voucher	Names of creditors	Residence (if unknown, that fact must be stated)	When and where contracted	Whether claim is contingent, unliquidated or disputed	Nature and consideration of the debt, and whether any judgment, bond, bill of exchange, promissory note, etc., and whether contracted as partner or joint contractor with any other person; and, if so, with whom.	Amount due or claimed	
						\$	Cts.
	Mattie L. Rhodes Hospital c/o Chason & Stone, Attys. Bay Minette, Ala. 36507			Suit pending--Circuit Ct. of Baldwin County, Ala.		614	02
	Wilson & Hogan Furniture Co. Bay Minette, Ala. 36507			c/s/c on household furniture-- 1962		84	00
	Waters Grocery c/o Frank P. Propst, Jr. Bay Minette, Ala. 36507			Suit pending in Frank Justice Court		70	00
	Merit Finance Company #1 151 St. Joseph Street Mobile, Alabama 36682			note--1962		230	00
	First National Bank of Bay Minette Bay Minette, Ala. 36507			Note--1962		238	00
	Loyal Distributors P. O. Box 7894 Nashville, Tennessee			c/s/c on books--1963		80	00
	Bama Spaller c/o Frank P. Propst, Jr. Bay Minette, Ala. 36507			Suit pending in Justice Court		60	00
	Wilson Chevrolet, Inc. c/o Frank P. Propst, J.P. Bay Minette, Ala. 36507			Suit pending in Justice Court		42	30

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

The Plaintiff claims of the Defendant the sum of TWO HUNDRED SIXTEEN AND 83/100 DOLLARS (\$216.83), the balance due by Promissory Note executed by him on September 23, 1961, and payable in 12 monthly installments, commencing on October 25, 1961, with the interest thereon since October 25, 1961, at the rate of eight (8) percent per annum; 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 the 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, of which the Plaintiff claims the benefit.

OWENS AND PATTON

By:

Attorneys for Plaintiff.

FEB 6 1969

ALICE J. DOWD CLERK
REGISTER

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No.

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JAMES E. BYRD
c/o BAY SLACKS, INC.
BAY MINETTE, 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, State of Alabama, at Bay Minette, against.....

JAMES E. BYRD Defendant.....

by FIRST NATIONAL BANK OF BAY MINETTE, a National Banking
Association Plaintiff.....

Witness my hand this 16 day of February 1969.

Reiney, Welch Clerk

E412-11-69

No. 8561

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

FIRST NATIONAL BANK OF BAY

MINETTE, a National Banking
Association.....

Plaintiffs

vs.

JAMES E. BYRD

Defendants

SUMMONS AND COMPLAINT

FILED

Filed 19.....

FEB 6 1969

Clerk

ALICE J. DUCK

CLERK
REGISTER

OWENS AND PATTON

Plaintiff's Attorney

Defendant's Attorney

Q1 Boy 429 A

Defendant ~~xxxxxx~~ may be
served at place of employment,
Bay Slacks, Inc., Bay Minette,
Alabama.....

Received In Office

RECEIVED

FEB 6 1969

19.....

Sheriff

I have executed this summons

this Feb 11 1969

by leaving a copy with

James E. Byrd

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM \$1.50 EACH
FOR SERVING 1.50 PROCESS(ES) AND
TRAVEL EXPENSE ON EACH OF \$.....
PROCESS(ES) OR A TOTAL OF \$-1.50

Taylor Wilkins Sheriff
W. A. Talbot Deputy Sheriff