

Our File No. 69-297

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

November 13, 1969

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

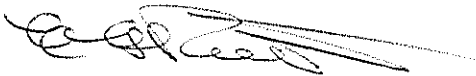
Dear Mrs. Duck:

Inre: Food Credit, Inc. vs.
Raymond J. Bing

9001

Enclosed find Summons & Complaint on a promissory note in the above styled cause. Please process and oblige, and have Sheriff advise when debtor has been served. We are also enclosing check for costs.

Yours very truly,



jlb
Encls.
cc: Client
12-17-69

FOOD CREDIT, INC.,
A CORPORATION,

PLAINTIFF

VS

RAYMOND J. BING AND MARY S. BING,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 9001

A N S W E R:

COMES NOW THE DEFENDANTS RAYMOND J. BING AND MARY S. BING, JOINTLY AND SEPARATELY, IN THE ABOVE STYLED CAUSE AND FOR ANSWER TO THE BILL OF COMPLAINT, HERETOFORE FILED IN THIS CAUSE, AND TO EACH COUNT THEREOF, SEPARATELY AND SEVERALLY ANSWER AS FOLLOWS:

1. NOT GUILTY.
2. THE DEFENDANTS ARE NOT INDEBTED TO THE PLAINTIFF.
3. THE DEFENDANTS DID NOT WAIVE THEIR RIGHTS TO CLAIM PERSONAL PROPERTY AS EXEMPT TO THEM UNDER THE CONSTITUTION AND LAWS OF THE STATE OF ALABAMA AS STATED IN SAID COMPLAINT.
4. THE SIGNATURES OF THE DEFENDANTS WERE SECURED ON THE ALLEGED NOTE THROUGH FRAUD AND DURESS ON PART OF THE PLAINTIFF OR ITS AGENTS IN THAT SAID AGREEMENT EXECUTED AT THE TIME OF THE ALLEGED NOTE DOES NOT SET FORTH THE REMAINING CONSIDERATION FOR THE DEFENDANTS SIGNATURE, THAT IS CERTAIN ITEMS OF FOOD, WHICH WERE TO BE GIVEN TO THE DEFENDANTS AS PART OF THE CONSIDERATION FOR THE ALLEGED INDEBTEDNESS.
5. THE DEFENDANTS HAVE OFFERED TO RETURN THE FREEZER RECEIVED AFTER LEARNING THAT THEY HAD BEEN TRICKED THROUGH THE FRAUDULENT STATEMENTS OF THE AGENTS OF FOOD CREDIT, INC., THE PLAINTIFF.

CERTIFICATE OF SERVICE

BAILEY & TAYLOR

I do hereby certify that I have on this 6-10-70 By: E. G. Rickard served a copy of the foregoing on E. G. Rickard By mailing the same by United States Mail, Prepaid, and First Class Postage Prepaid.

BAILEY & TAYLOR

By: E. G. Rickard

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FILED

JUN 10 1970

ALICE J. DECK CLERK REGISTER

9001

FILED

JUN 10 1970

ALICE J. BUCK CLERK
REGISTER

STATE OF ALABAMA,
COUNTY OF BALDWIN.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon RAYMOND J. BING and MARY S. BING 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 RAYMOND J. BING and MARY S. BING, Defendants, by FOOD CREDIT, INC., a Corporation, Plaintiff.

WITNESS my hand this 17 day of Nov., 1969.

Alice J. Duck Clerk
ALICE J. DUCK

FOOD CREDIT, INC.,
A Corporation,

Plaintiff,

VERSUS

RAYMOND J. BING and
MARY S. BING,
Defendants.

X
X
X
X
X
X
X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW.

9001

C O M P L A I N T

The Plaintiff claims of the Defendant EIGHT HUNDRED FORTY-FOUR AND 56/100 (\$844.56) DOLLARS, due by promissory note made by them on the 8th day of April, 1969, and payable on the 23rd day of June, 1969, with interest thereon.

And the Plaintiff avers that in said note and as a part of the consideration thereof, the Defendants have expressly waived their rights to claim personal property as exempt to them under the Constitution and laws of the State of Alabama, and the Defendants agreed to pay an attorney's fee for the collection thereof, and the Plaintiff hereby claims the further sum of TWO HUNDRED ELEVEN AND 14/100 (\$211.14) DOLLARS as such attorney's fees.

E. G. Rickaby
E. G. RICKABY,
Attorney for Plaintiff.

Defendant's address is:

Route 1, Box 2A
Fairhope, Alabama 36532

FILED

NOV 17 1969

ALICE J. DUCK CLERK
REGISTER

24 11-20-69

9001

T. Park
Crawford
2821

Ford Credit, Inc.
a corp. Pch.
vs.
Raymond J. Bing
& Mary S. Bing
Deft

Sheriff claims 140 miles at
Ten Cents per mile Total \$ 14.00
TAYLOR WILKINS, Sheriff
BY Crook
DEPUTY SHERIFF

FILED

NOV 17 1969

ALICE J. DUCK
CLERK
REGISTER

E. G. Rickaby

Received 18 day of Nov. 1969
and on 21 day of Nov. 1969
I served a copy of the within & C
on Raymond J. Bing
Mary S. Bing
By service on Met Mrs. Bing
TAYLOR WILKINS, Sheriff
By W. G. Fudge
D. S.

BAILEY & TAYLOR
ATTORNEYS AT LAW
61 NORTH SECTION STREET
P. O. BOX 361
FAIRHOPE, ALABAMA 36532

DECEMBER 16, 1969

MRS. ALICE J. DUCK
CLERK OF CIRCUIT COURT
BALDWIN COUNTY
BAY MINETTE, ALABAMA

RE: FOOD CREDIT, INC.
VS. RAYMOND J. BING & MAEY S. BING
AT LAW # 9001


DEAR MRS. DUCK:

I WOULD APPRECIATE YOU FILING THE ENCLOS-
ED DEMURRER IN THE ABOVE MATTER.

I HAVE THIS DAY FORWARDED A COPY OF SAME
TO MR. RICKARBY, THE ATTORNEY FOR THE
OTHER SIDE.

THANKING YOU FOR YOUR ASSISTANCE IN THIS
MATTER, I AM

SINCERELY,



LLOYD E. TAYLOR
LET/W

INCL: AS NOTED

FOOD CREDIT, INC.,
A CORPORATION,

PLAINTIFF

VS

RAYMOND J. BING AND MARY
S. BING,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 9001

DEMURRER

COMES NOW THE DEFENDANTS, RAYMOND J. BING AND MARY S. BING, JOINTLY AND SEPARATELY, IN THE ABOVE STYLED CAUSE AND DEMUR INDIVIDUALLY TO THE PLAINTIFF'S COMPLAINT, AND TO EACH COUNT THEREOF, SEPARATELY AND SEVERALLY, AND ASSIGN THE FOLLOWING SEPARATE AND SEVERAL GROUNDS OF DEMURRER;

1. IT DOES NOT APPEAR THEREFROM THAT THERE WAS ANY CONSIDERATION FOR DEFENDANTS ALLEGED PROMISE.
2. SAID COUNT IS VAGUE AND INDEFINITE.
3. IT DOES NOT APPEAR THEREFROM WHAT AMOUNT WAS DUE WITH REGARD TO THE INTEREST ON THE ALLEGED PROMISSORY NOTE.
4. SAID COUNT DOES NOT STATE A CAUSE OF ACTION.

BAILEY & TAYLOR

By: [Signature]
ATTORNEYS FOR THE DEFENDANTS

FOR A TRIAL IN THIS CAUSE THE
DEFENDANTS DEMAND A TRIAL BY JURY.

[Signature]

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 16th Dec. 1969
served a copy of the foregoing on E. C. Ricker
By mailing the same by United States Mail, Properly addressed, and First
Class Postage Prepaid.

BAILEY & TAYLOR

By: [Signature]

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FILED

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ALICE J. BUCK

CLERK
REGISTER

Sum
DEMURRER

FOOD CREDIT, INC.,
A CORPORATION,

PLAINTIFF

VS

RAYMOND J. BING AND
MARY S. BING,

DEFENDANTS

IN THE CIRCUIT COURT
OF BALDWIN COUNTY,
ALABAMA AT LAW

CASE NO: 9001

RELEASE OF GARNISHMENT

CIRCUIT Court of BALDWIN County, Alabama

RE: FOOD CREDIT, INC. A CORPORATION
vs. Plaintiff.

RAYMOND J. BING & MARY S. BING
Defendant.

To: GRAYHOUND BUS LINES, INC.
GARNISHEE

I, EUNICE B. BLACKMON, Clerk of the CIRCUIT Court of BALDWIN County, Alabama, do hereby certify that in the above styled case, Garnishment has been released and Garnishee has been discharged.

Witness my hand, this the 29th day of December, 1972

Eunice B Blackmon CLERK.

STATE OF ALABAMA

Baldwin County

TO ~~RAYMOND J. BING & MARY S. BING~~, Defendant~~s~~:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of.

~~FOOD CREDIT, INC., a corporation~~, Plaintiff.versus ~~RAYMOND J. BING & MARY S. BING~~, Defendant~~s~~,


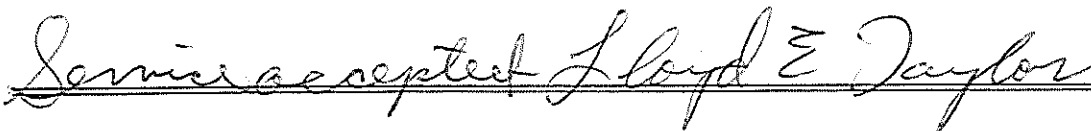
now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

~~GREYHOUND BUS LINES, INC., aka SOUTHEASTERN GREYHOUND LINES, INC.,~~

has been named as Garnishee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the

10 day of Aug., 1972.

Defendants reside in
Fairhope, Alabama
Clerk of the Circuit Court.

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

FOOD CREDIT, INC., a
corporation

Plaintiff....

VS.

.....RAYMOND...J....BING...and.....

.....MARY S. BING.....

Defendant....