


FIRST NATIONAL BANK OF BAY MINETTE) IN THE CIRCUIT COURT OF
A National Banking Association
Plaintiff) BALDWIN COUNTY, ALABAMA
vs) AT LAW.
MARTHA S. PEACOCK) CASE NO. 10,565
Defendant)

Comes the Defendant in the above styled cause and
propounds the following interrogatories to the plaintiff,
First National Bank of Bay Minette, A National Banking
Association:

1. State your name.
2. Are you an officer or official of any kind in the
First National Bank?
3. If your answer to Number Two is yes, state the office
you hold and how long you have held it.
4. Do you have the promissory note which you allege was
executed by the Defendant on January 27, 1972?
5. If so attach a xerox copy.
6. Did anyone else sign the promissory note?
7. If so state the name of the other person who signed
it and whether or not the Defendant was represented to be
that other person's wife.


Attorney for Defendant

STATE OF ALABAMA

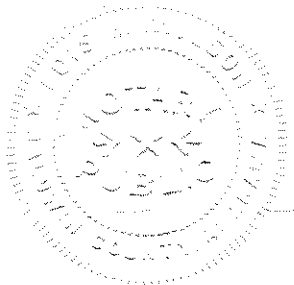
BALDWIN COUNTY

Before me, the undersigned Notary Public, in and for
said State and County, personally appeared C. LeNoir Thompson,
who being by me first duly sworn, deposes on oath and says as
follows:

My name is C. LeNoir Thompson, I am the Attorney of Record for the Defendant in the above entitled cause and as such, I am authorized to make this affidavit. I further state that the answer of the plaintiff to the foregoing interrogatories will, if truthfully made, be material evidence for the defendant on the trial of said cause.


C. LeNoir Thompson

Subscribed and sworn to before me by the said C. LeNoir Thompson on this the 20 day of September, 1972.



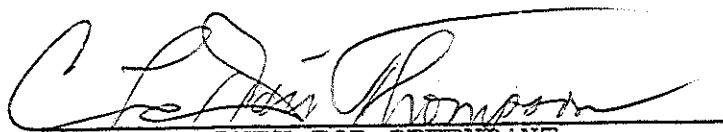

NOTARY PUBLIC, BALDWIN COUNTY, ALABAMA.

FILED

SEP 20 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

I hereby certify that I have this the 20th day of September, 1972 served a copy of the foregoing interrogatories on Honorable J. Connor Owens, Jr., Attorney at Law, Bay Minette, Alabama, Attorney for Plaintiff, by depositing a copy of same in the United States Mail postage prepaid.


ATTORNEY FOR DEFENDANT

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

FIRST NATIONAL BANK OF BAY MINETTE,)
A National Banking Association,)
Plaintiff,) CIVIL ACTION NO. 10,565
vs.)
MARTHA S. PEACOCK,)
Defendant.)

WRIT OF DISCOVERY:

TO: MARTHA S. PEACOCK
1105 MARK AVENUE EXT.
BAY MINETTE, ALABAMA

TAKE NOTICE, that whereas, the Plaintiff in the above styled cause has requested in writing, the undersigned, as Clerk of the Circuit Court of Baldwin County, Alabama, to issue notice to you as Defendant in said cause, and in the judgment therein, requiring you to file a statement in writing and under oath, of all of your assets, including money, choses in action, notes, bonds and accounts, and all other property, real, personal or mixed, or any interest therein, with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed statement of any and all liens, mortgages or encumbrances thereon, showing the amounts due upon each and the owner and/or holder of such lien, and it appearing from the record in said cause that execution was returned on the judgment in this cause on August 21, 1973, endorsed "no property found", by the Sheriff of Baldwin County, Alabama;

NOW, THEREFORE, you are hereby required, within thirty (30) days from the service hereof, to file in this Court, a statement in writing, under oath, of all of your assets, including money, choses in action, notes, bonds and accounts, and all other property, real, personal or mixed, or any interest therein, with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed list or statement of

any and all liens, mortgages or encumbrances thereon, showing the amounts due upon each, and the owner or holder of such lien.

WITNESS MY HAND this 27th day of September, 1973.

Eunice B. Blackmon
Clerk, Circuit Court of Baldwin County,
Alabama.

FILED

SEP 27 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to serve the foregoing notice upon MARTHA S. PEACOCK, 1105 Mark Avenue Ext., Bay Minette, Alabama, the Defendant in said cause, and make due return of your said service and of this notice, within thirty days from this date, how the same was executed.

WITNESS my hand this 22th day of September, 1973.

Eunice B. Blackmon
Clerk, Circuit Court, Baldwin County, Ala.

FILED

SEP 27 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

Received 27 day of Sept 1973
and on 7 day of Nov 1973
I served a copy of the within writ of discovery
on Martha S. Peacock

By service on Martha S. Peacock

TAYLOR WILKINS, Sheriff
by C. Sadhu

RECEIVED

SEP 27 1973

Sherriff claims 0 dollars and
Ten Cents per mille Total \$ 0
TAYLOR WILKINS, Sheriff
by C. Sadhu

Sadhu

#10,565

FIRST NATIONAL BANK OF BAY MINETTE,
A NATIONAL BANKING ASSOCIATION,
Plaintiff

VS:

MARTHA S. PEACOCK,
Defendant
1105 Mark Ave

WRIT OF DISCOVERY

FILED

SEP 27 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

J. C. Owens, Jr.
Attorney for Plaintiff

FIRST NATIONAL BANK OF BAY MINETTE) IN THE CIRCUIT COURT OF
A National Banking Association

Plaintiff) BALDWIN COUNTY, ALABAMA

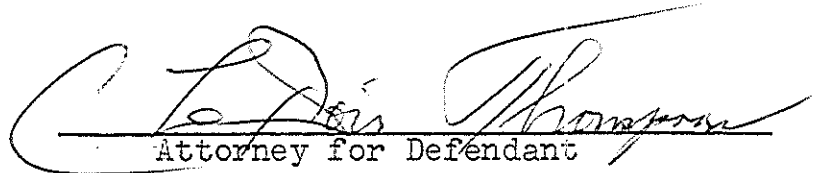
vs) AT LAW.

MARTHA S. PEACOCK) CASE NO. 10,565

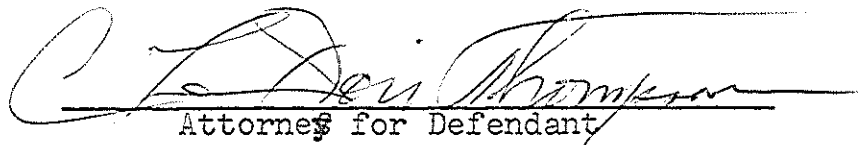
Defendant)

Comes the defendant in the above styled cause and demurs to the complaint filed in said cause and for demurrer shows as follows:

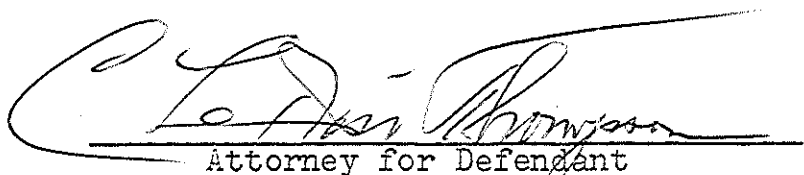
1. That said complaint fails to state a cause of action.
2. That said complaint fails to allege the makers of the said note.
3. That said complaint fails to allege a consideration for said note.


Attorney for Defendant

Defendant respectfully demands trial by jury.


Attorney for Defendant

I hereby certify that I have this the 20 day of September, 1972 served a copy of the foregoing demurrer on Honorable J. Connor Owens, Jr., Attorney at Law, Bay Minette, Alabama, Attorney for Plaintiff, by depositing a copy of same in the United States Mail postage prepaid.


Attorney for Defendant

FILED

SEP 20 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

FIRST NATIONAL BANK OF BAY MINETTE,)	
A National Banking Association,)	IN THE CIRCUIT COURT OF
Plaintiff,)	
vs.)	BALDWIN COUNTY, ALABAMA
MARTHA S. PEACOCK,)	
Defendant.)	AT LAW NO. 10,565.
)	

ANSWERS TO INTERROGATORIES PROPOUNDED TO
DEFENDANT, FIRST NATIONAL BANK OF BAY
MINETTE, BY DEFENDANT

Now comes the Plaintiff, First National Bank of Bay Minette, a National Banking Association, by the Defendant, Martha S. Peacock, says as follows:

1. W. M. Kelly.
2. Yes.
3. President, since 1966.
4. Yes.
5. Copy attached.
6. No.
7. Not applicable.



W. M. Kelly, President,
First National Bank of Bay Minette,
Plaintiff.

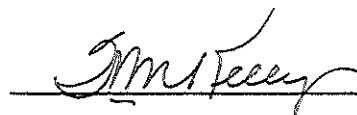
STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, within and for said State and County, personally appeared W. M. Kelly, who first being duly sworn, deposes and says: That he is President of the First National Bank of Bay Minette, a National Banking Association, and as such is authorized to make answer to interrogatories in said cause, and that the answers made by him are true and correct.

FILED

SEP 28 1972

EUNICE B. BLACKMON CIRCUIT
CLERK



Sworn to and subscribed before
me this 26th day of September,
1972.

Alice L. Miller
Notary Public, Baldwin County, Alabama.

I, the undersigned Attorney of Record for the Plaintiff
in the foregoing cause, do hereby certify that I have caused a
copy of the foregoing answers to interrogatories to be served on
C. LeNoir Thompson, the Attorney of Record for the Defendant in
said cause, by placing the same in the United States Mail, properly
addressed, with postage prepaid, this 27 day of September,
1972,

James Owens, Jr.

FILED

SEP 28 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

COMMERCIAL NOTE

STATE OF ALABAMA

BALDWIN COUNTY

Address:

1105 Marks Ave., Ext.
Bay Minette, Ala., 36507Prin. 12,850.00Int. Fr.Dt.8% \$ 12,850.00

Ins. & Rec. _____

Bay Minette, Alabama

January 27, 1972.

On or before MARCH 27, 1972 next, I/we promise to pay to the FIRST NATIONAL BANK OF BAY MINETTE, Bay Minette, Alabama, or order, at their main banking house in Bay Minette, Alabama _____

TWELVE THOUSAND, EIGHT HUNDRED FIFTY AND NO/100----- DOLLARS,

for value received, with interest thereon at the rate of _____ percent per annum until maturity. Should this note not be paid at maturity, whether by date or demand, the same shall bear interest at the rate of 8% per annum until paid.

In the event of death, insolvency, assignment by, judgment against, filing of petition in bankruptcy by or against, or issuance of writ of garnishment or attachment against the property of the undersigned, or on the happening of any one or more of the above events, the payee may, at its option, declare the amount of indebtedness immediately due and payable, and proceed to collect the same in any lawful manner. No delay shall waive the right to make the same.

The parties to this instrument, whether maker, endorser, surety or guarantor, each for himself, severally waive as to this debt, or any extension or renewal thereof, all rights of exemption under the Constitution of the State of Alabama, and under all laws thereof, and as to any other State where proceedings may be instituted, as to personal property, and they severally agree to pay all costs of collecting the same, including a reasonable attorney's fee, whether by suit or by foreclosure. And each maker, endorser, surety and guarantor of this note severally waives demand, presentment, protest, notice of protest, and severally agree that time of payment may be extended, or renewal note taken, or other indulgence granted, without notice or consent to such action, and without release of liability.

This note is secured by a certain security agreement of _____ none _____ executed by the undersigned and by the First National Bank of Bay Minette.

WITNESS my/our hand _____ and seal _____ this the 27th day of January, 1972.

"CAUTION — IT IS IMPORTANT THAT YOU THOROUGHLY READ THIS CONTRACT BEFORE YOU SIGN IT."

WITNESSES FOR ACKNOWLEDGEMENTS DUPLICATE COPIES
OF ALL INSTRUMENTS FILED BY DEBTOR
WMK/bb IN CONNECTION WITH THIS TRANSACTION.

Mrs. Martha S. Peacock (L.S.)

(L.S.)

(L.S.)

(L.S.)

MRS. MARTHA S. PEACOCK

N.I.

FILED

SEP 28 1972

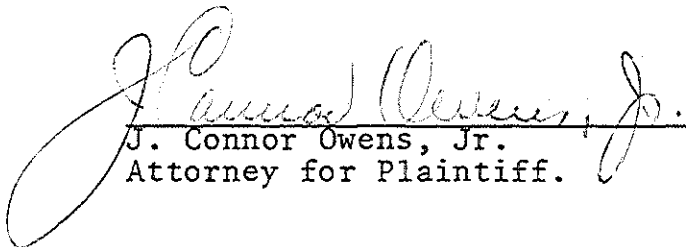
EUNICE B. BLACKMON CIRCUIT
CLERK

FIRST NATIONAL BANK OF BAY MINETTE,)	
A National Banking Association,)	IN THE CIRCUIT COURT OF
)	
Plaintiff,)	
)	BALDWIN COUNTY, ALABAMA
vs.)	
MARTHA S. PEACOCK,)	AT LAW.
#10,565)	
Defendant.)	

The Plaintiff claims of the Defendant, TWELVE THOUSAND EIGHT HUNDRED FIFTY AND NO/100 DOLLARS (\$12,850.00) due by Promissory Note executed by her on January 27, 1972, and payable on March 27, 1972, with the interest thereon from date of note at the rate of eight percent (8%) per annum.

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 Plaintiff claims the benefit.


 J. Connor Owens, Jr.
 Attorney for Plaintiff.

FILED

AUG 28 1972

EUNICE B. BLACKMON CIRCUIT CLERK

SUMMONS AND COMPLAINT

THE 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 SummonMARTHA S. PEACOCK.....

1105 MARKS AVENUE EXTENSION

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.....

.....Martha S. Peacock....., Defendant.....

byFIRST NATIONAL BANK OF BAY MINETTE, a National Banking Association,

....., Plaintiff.....

Witness my hand this.....24.....day of.....August.....19 72

Emmie B. Blackmon Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

FIRST NATIONAL BANK OF BAY
MINETTE, a National Banking
Association

Plaintiffs

vs.

MARTHA S. PEACOCK

Defendants

SUMMONS AND COMPLAINT

Filed August 24 1972

FILED

Clerk

AUG 24 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

J. CONNOR OWENS, JR.

RECEIVED

Plaintiff's Attorney

AUG 24 1972

Defendant's Attorney

TAYLOR WILKINS

Defendant lives at
1105 Marks Avenue Extension
Bay Minette, Alabama

Received In Office

19.....

Sheriff

I have executed this summons

this Aug 25 1972
by leaving a copy with

Martha S. Peacock

Taylor Wilkins Sheriff
W. A. Zeller Deputy Sheriff

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

FIRST NATIONAL BANK OF BAY MINETTE,)
a National Banking Association,)

Plaintiff,)

vs.)

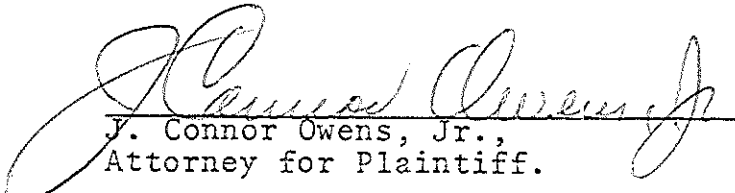
MARTHA S. PEACOCK,)

Defendant.)

CIVIL ACTION NO. 10,565

PETITION FOR DISCOVERY:

The Plaintiff herein having recovered judgment against the Defendant herein on May 2, 1973, for the total sum of \$14,739.35 and costs, and execution having been issued under such judgment and such execution having been returned on August 21, 1973, with no property found, and said judgment, together with costs and accrued interest thereon remaining due and unpaid, Plaintiff now requests in writing that the Clerk of this Court issue a notice to the above named Defendant requiring her, within thirty days from the service of such notice, to file in this cause a statement in writing, under oath, of all of her assets of every kind, character and description and wheresoever located, as provided by Code of Alabama of 1940, Title 7, Section 903.


J. Connor Owens, Jr.,
Attorney for Plaintiff.

FILED

SEP 27 1973

EUNICE B. BLACKMON CIRCUIT
CLERK