3744

MRS. W. F. POPE, Ind. d/b/a FAIRHOPE GROCERY& Market.

Plaintiff

-VS -

CECIL D. JERNIGAN

Defendant

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW.

BILL OF COMPLAINT

## COUNT ONE:

The Plaintiff claims of the Defendant the sum of TWO HUN-DRED EIGHTEEN and 55/100)\$218.55)DOLLARS, due by Promissory Note made by the Defendant on the 29th day of October, 1956, and payable on the 5th day of September, 1956, which sum of money together with the interest thereon is still unpaid.

Plaintiff evers that in, by, and as a part of said note, the Defendant agreed to pay all cost of collecting, or securing or attempting to collect or secure such debt, including a reasonable Attorney's fee, whether the same be collected or secured by suit or otherwise and the Plaintiff further claims of the Defendant the further and additional sum of FORTY (\$40.00) DOLLARS, as a reasonable Attorney's fee.

The Plaintiff further avers that in, by, and as a part of said note Defendant waived as to this debt or any renewal there of, all rights to exemptions under the Constitution and Laws of Alabama as to personal property as of this waiver the Plaintiff now claims the benefit.

## COUNT TWO:

Plaintiff claims of the Defendant the sum of FORTY SIX and 14/100(\$46.14)DOLLARS, due from him by checks drawn on the Bank of Fairhope, Fairhope, Alabama, and signed by the defendant, which checks were duly presented to the Bank upon which the same were drawn, and were returned dishonored by that bank on account of insufficient funds; and that said check was given as part payment of the Promissory Note sued on in count one, which sum of money, together with the interest thereon, is still unpeid.

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Attorney for Plaintiff

The State of Alabama,	Circuit Court, Baldwin County
The State of Alabama, Baldwin County.	Circuit Court, Baldwin County
TO ANY SHERIFF OF THE STATE OF A	LABAMA:
You Are Hereby Commanded to SummonC	ECIL D. JERNIGAN
the Circuit Court of Baldwin County, State of A	nirty days from the service hereof, to the complaint filed in labama, at Bay Minette, against, Defendant
	b/s FAIRHOPE GROCERY & MARKET.
Witness my hand thisday	
Executed Jan. 30,	1959 215

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No. 3.7444. Page	Defendant lives at
The State of Alabama Baldwin County	
CIRCUIT COURT	Received In Office
MRS. W. F. POPE,	19.5.9
Ind. d/b/a FARIHOPE GROCERY & MARKET  vs.	I have executed this summons
CECIL D. JERNIGAN	by leaving a copy with
	and Defingan
Defendants	- O
Summons and Complaint	
Filed F. F. F. D	Sheriff claims miles at Ten Cents per mile Total \$ TAYLOR WILKINS, Sheriff BY DEPUTY SHERIFF
Plaintiff's Attorney	Jaylor Thilk Sheriff
Defendant's Attorney	Joseph Deputy Sheriff