

5408  
STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon BAYOU INCORPORATED AND BAYOU BEVERAGE COMPANY, INC. to appear within thirty days from the service of this writ in the Circuit Court, to be held for said County at the place of holding the same, then and there to answer the complaint of MOBILE CIGAR AND TOBACCO COMPANY.

Witness my hand, this the 12 day of November, 1962.

Alice J. Duck  
Alice J. Duck-Clerk

MOBILE CIGAR AND TOBACCO COMPANY, Inc.  
a corporation.

Plaintiff

-VS-

BAYOU, INC. A Corporation and  
BAYOU BEVERAGE COMPANY, INC.  
A Corporation, jointly and  
severally.

Defendants

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

COUNT ONE

Plaintiff claims of the defendant, the sum of Two Hundred Eleven and 38/100 (\$211.38) Dollars, due from the defendants by a check drawn by the defendants on the Merchants National Bank of Mobile, Mobile, Alabama, in favor of the Plaintiff for Two Hundred Eleven and 38/100 (\$211.38) Dollars on the 25th day of August, 1961, which checks were duly presented, payment refused, and duly protested, which sum of money with interest thereon is due and unpaid.

Samuel D. Duck  
Attorney for Plaintiff

Service may be had by  
serving Mr. Milton J.  
Mastin on Sea Cliff  
Drive, Fairhope, Ala.

64-12-15-62

FILED

DEC 12 1962

666

ALICE J. DUCK, CLERK  
REGISTER

MOBILE CIGAR & TOBACCO CO.  
INC. a corporation

Plaintiff

BAYOU, INC. A Corporation  
and BAYOU BEVERAGE COMPANY  
INC. a corporation, jointly  
and severally.

Defendants

Received 12 day of Dec 1962  
and on 15th day of Dec 1962  
served a copy of the within S. + C

Bayou, Inc.  
Bayou Beverage Co.  
by service on M. J. Mastin, Pres.

M. J. Mastin, owner.  
TAYLOR WILKINS, Sheriff  
By Fred Seibert  
f. h. p.

Sheriff claims 70 miles at  
Ten Cents per mile Total \$ 7.00  
TAYLOR WILKINS, Sheriff

BY DEPUTY SHERIFF

DEC 12 1962

ALICE L. DUCK, CLERK  
REGISTER

MOBILE CIGAR & TOBACCO COMPANY, INC.  
A Corporation

Plaintiff

-VS-

BAYOU, INC., a Corporation,  
M. J. MASTIN and F. J. BROWN  
a Partnership d/b/a BAYOU,  
INC., a Corporation;  
BAYOU BEVERAGE COMPANY, INC.,  
a Corporation and M. J. MASTIN  
and F. J. BROWN, a Partnership  
d/b/a BAYOU BEVERAGE COMPANY,  
INC., M. J. MASTIN and F. J.  
BROWN, individually.

. Defendants

) IN THE CIRCUIT COURT OF  
) BALDWIN COUNTY, ALABAMA

) AT LAW

) CASE NO: 5408

)

)

)

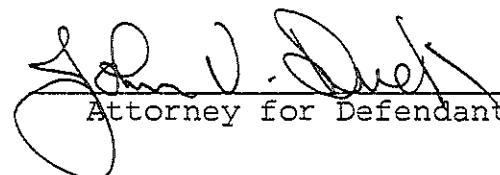
)

)

)

Comes now the Plaintiff in the above styled cause and  
amends its complaint to read as follows:

The Plaintiff claims of the Defendants the sum of TWO  
HUNDRED ELEVEN and 38/100 DOLLARS (\$211.38), due from the Defen-  
dants by a check drawn by them on the Merchants National Bank of  
Mobile, Mobile, Alabama, in favor of the Plaintiff for said amount  
on the 25th day of August, 1961, which was duly presented for pay-  
ment refused, which sum of money, with interest thereon, is due  
and unpaid. Notice of the dishonor and nonpayment was given the  
Defendants.

  
Attorney for Defendants

**FILED**

OCT 14

ALICE J. DUCK, CLERK  
REGISTER

MOBILE CIGAR AND TOBACCO COMPANY,  
INC., a Corporation,

Plaintiff

VS.

BAYOU, INC., A Corporation and  
BAYOU BEVERAGE COMPANY, INC.  
A Corporation, jointly and  
severally,

Defendants

IN THE CIRCUIT COURT  
OF BALDWIN COUNTY,

ALABAMA,

AT LAW

DEMURRER

Now comes the Defendants, Bayou, Inc., a Corporation and Bayou Beverage Company, Inc., a Corporation, by their Attorney, and demurs to the Bill of Complaint heretofore filed in this cause, separately and severally, and as grounds of such demurrer assigns, separately and severally the following:

1. It does not state a cause of action.
2. The allegations of the complaint are vague, indefinite and uncertain.
3. The allegations of the complaint are conclusions of the pleader.
4. The complaint does not state which defendant is indebted to the Plaintiff.
5. The Bill of Complaint affirmatively shows that one Defendant is not indebted to the Plaintiff.
6. The allegations of the complaint are vague, indefinite and uncertain in that the complaint does not show which Defendant drew a check to the Merchants National Bank of Mobile, Mobile, Alabama.

  
ERNEST M. BAILEY,  
Attorney for Defendants

FILED

JAN 1960  
ALICE L. DICK, CLERK  
REGISTER

5408

MOBILE CIGAR AND TOBACCO  
COMPANY, INC., a Corporation,

Plaintiff

Vs.

BAYOU, INC., a Corporation  
and BAYOU BEVERAGE COMPANY,  
INC., a Corporation, Jointly  
and severally,

Defendants

FILED  
JAN 7 1943  
ALICE I. DICK, CLERK  
REGISTER

Ernest M. Bailey  
Attorney for Defendants

T  
O

Mrs. Alice T. Cook  
Clerk of Circuit Court  
Bay Minette, Alabama

F  
R  
O  
M

Mr. J. H. Hargis, Jr.  
Attorney at Law  
219 Magnolia Avenue  
Fairhope, Alabama

SUBJECT:

Mobile Order Co. vs. State Indemnity  
Company and J. C. Brown et al.

DATE:

12/11/51

Message - Reply

Form 87 New England Business Service, Inc. Townsend, Mass.

OLD THIS IS NCR (NO CARBON REQUIRED) PAPER.

JUST TYPE (OR WRITE) ON ORIGINAL. YOUR IMPRESSION  
WILL AUTOMATICALLY APPEAR ON COPIES BENEATH.

M  
E  
S  
S  
A  
G  
E

Dear Mrs. Cook:

I enclose you will find a copy of complaint  
on the above. Please send one copy to Hon. J. H. Hargis, Jr.,  
Fairhope, Alabama.

Sincerely,

SIGNED:

DATE OF REPLY:

REPLY TO:

R  
E  
P  
L  
Y

SIGNED:

RECIPIENT: WRITE REPLY. RETURN WHITE TO SENDER. KEEP THIS PINK COPY.