

THE UTILITIES BOARD OF
THE TOWN OF FOLEY, a cor-
poration,

Plaintiff,

VS

BARBER FOOD SERVICES, INC.,
a corporation,

Defendant.

(IN THE CIRCUIT COURT OF
(BALDWIN COUNTY, ALABAMA

(AT LAW

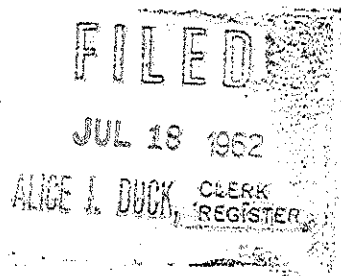
(NO: 4823

Comes KEENER T. BLACKMARR and appears as
Attorney for the Defendant, BARBER FOOD SERVICES, INC.,
a corporation, and reserves the right to plead, answer
or demur to the Complaint within the time allowed by
law.

Keener T. Blackmarr
Attorney for the Defendant

Defendant demands a trial by jury.


Keener T. Blackmarr
Attorney for Defendant.



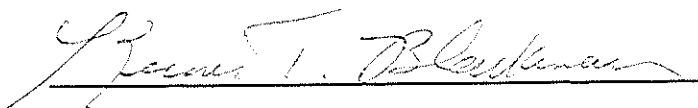
RIVIERA UTILITIES, a corporation, (IN THE CIRCUIT COURT OF
Plaintiff, (BALDWIN COUNTY, ALABAMA
Vs (AT LAW
BARBER FOOD SERVICES, INC., (NO: 4823
a corporation, (
Defendant. (

Comes KEENER T. BLACKMARR, Attorney for the
Defendant, and withdraws his demand for a jury trial
and withdraws his appearance as Attorney of Record
for the Defendant.

BLACKMARR & STOCKMAN


Keener T. Blackmarr

I, KEENER T. BLACKMARR, Attorney of Record for the
Defendant, do hereby certify that a true and correct
copy of the foregoing was mailed to Honorable CECIL
CHASON, Attorney for the Plaintiff, postage prepaid,
this 9th day of March, 1963.



STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:- GREETINGS

You are hereby commanded to summon BARBER FOOD SERVICES, INC., a corporation, to appear within thirty (30) days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of The Utilities Board of the Town of Foley.

WITNESS my hand this 21 day of Aug, 1961.

Alice I. Duck
Clerk

- COMPLAINT -

THE UTILITIES BOARD OF THE
TOWN OF FOLEY, a corporation,

Plaintiff

-vs-

BARBER FOOD SERVICES, INC.,
a corporation,

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

COUNT I

The Plaintiff claims of the Defendant One Thousand One Hundred Twenty-three and 58/100 Dollars (\$1,123.58) due from it for merchandise, goods, and chattels sold by the Plaintiff to the Defendant from the 10 day of May, 1960 through the 12 day of September 1960, which sum of money with the interest thereon is still unpaid.

A verified statement of the above account is attached hereto and specifically made a part hereof.

Alice I. Duck
Attorney for Plaintiff

Defendant presently doing
business at 951 Government St.
Mobile, Alabama

FILED
AUG 21 1961
ALICE I. DUCK, CLERK
REGISTER

A F F I D A V I T

STATE OF ALABAMA

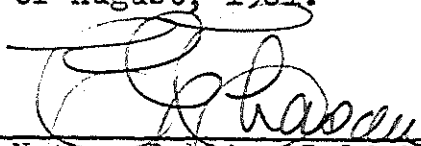
BALDWIN COUNTY

Before me, a Notary Public in and for said County in said State, personally appeared E. L. Courtney, who is known to me, and who after being by me first duly and legally sworn, deposes and says under oath as follows:

That his name is E. L. Courtney; that he is General Office Manager for the Utilities Board of the Town of Foley, Alabama, a corporation which operates and does business under the trade name of Riviera Utilities; that as such General Office Manager, he is familiar with the account due to the said Utilities Board of the Town of Foley, Alabama, a corporation, by the Barber Food Services, Inc., a corporation; that there is due to the said Utilities Board of the Town of Foley, Alabama for electric energy sold and delivered to the said Barber Food Services, Inc. on the Mobile Bay Causeway in Baldwin County, Alabama, from the 18 day of May, 1960 through the 12th day of September, 1960, the sum of \$1,135.58; that there has been credited said account, the sum of \$10.00, which was held as a meter deposit and \$2.00 as connecting charge, leaving due to the Utilities Board of the Town of Foley, Alabama, the sum of \$1,123.58 after allowing and deducting all just credits or offsets which sum is just, true, and Correct.



Sworn to and subscribed before me,
a Notary Public, on this the 19
day of August, 1961.



Notary Public, Baldwin County
State of Alabama

64-6-26-62

W. 4823

SUMMONS AND COMPLAINT

Utilities Board of the Town of
Foley, a corporation,
Plaintiff

vs

Barber Food Services, Inc.,
a corporation,
Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

A. D. Barber

Boyle

FILED

AUG 21 1961

ALICE J. DUCK, CLERK
REGISTER

CECIL G. CHASON
ATTORNEY AT LAW
FOLEY, ALABAMA

RAY D. BRIDGES, Sheriff
Not found in my County after due
return
in Mobile
All officers of the corporation are
in Birmingham. They have no officers

By R. D. Chatham, D. S.
RAY D. BRIDGES, Sheriff
Not found in my County after due
return

RETURNED

Received 21 day of Aug 1961
and on 21st day of Aug 1961
I served a copy of the within
to Barber Food Services, Inc.

By Dorothy Boykin,
Barber Food Services, Inc.
TAYLOR WILKINS, Sheriff
By Fred J. Baker, D. S.

Sheriff claims 60
Cents per mile Total \$
TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF
RECEIVED
AUG 23 1961
SHERIFF'S OFFICE

RECEIVED
NOV 20 1961
SHERIFF'S OFFICE

CECIL G. CHASON

ATTORNEY-AT-LAW

FOLEY, ALABAMA

Feb. 5, 1962

*mailed back to
mobile 11/16/61
no return*

Mr. Taylor Wilkins, Sheriff
Bay Minette, Alabama

Dear Taylor:

On August 19, 1961 I sent to Mrs. Duck a Summons and Complaint against Barber Food Services for \$1,123.58 with a verified statement of account attached, setting out in the Complaint the address of the Defendant in Mobile. On September 7, 1961, I wrote you asking why service had not been perfected. I later received notification from the Clerk of Court that Barber Food Service could not be found. Then on the 24 of October, 1961, I wrote you advising that Summons and Complaint might be served on the President, Secretary, Cashier, or other agent of the Company, and notified you that Barber Food Services was still doing business on Government Street in Mobile.

Realizing that your deputies do not serve Summons and Complaint in Mobile County, we offered at that time to direct a member of the Mobile County Sheriff's department to Barber Food Services in order that service might be made. I suggest that you urge the sheriff's department of Mobile County to make immediate service, and if that is not in order, we will still take a deputy by the hand to Barber Food Services at 951 Government Street, Mobile, Alabama.

The Chairman of the Board and General Manager of the Utility are demanding of me why this service cannot be had and judgment obtained.

B & G Food Service
Dulan

Yours very truly,

C. G. Chason
C. G. Chason

CGC:dc

cc: Mr. Martin W. Crosby, Chairman
Utilities Board of the City of Foley

Mr. Sherman F. Lemler, General Manager
Riviera Utilities

Paul Smart

~~George~~
~~Grady Lee Watson~~

~~undell~~
~~James~~

RECEIVED
JAN 10 1900
U.S. DEPT. OF AGRICULTURE
WASHINGTON, D.C.

CECIL G. CHASON

ATTORNEY-AT-LAW

FOLEY, ALABAMA

Nov. 13, 1961

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

Dear Mrs. Duck:

I am enclosing copy of letter to Mr. Wilkins which is self explanatory. Will you please mail or send copy of Complaint of Utilities Board of the Town of Foley vs Barber Food Services, Inc. back to the Sheriff's office.

Yours very truly



C. G. Chason

6GC:dc

Encl.

October 24, 1961

Taylor Wilkins, Sheriff
Baldwin County
Bay Minette, Alabama

Re: Utilities Board of The Town of Foley
Vs. Barber Food Services, Inc.

Dear Taylor:

I have received a card from the Clerk of Court of Baldwin County, Alabama, that Barber Food Services, Inc. were not found. Please let me call to your attention for the benefit of the Sheriff's Office in Mobile County, Alabama, Section 188 of Title 7 of The Code of Alabama of 1940, that states that a copy of the Summons and Complaint may be served on the President, Secretary, Cashier or other agent of the company. We furnished you the address of Barber Food Services, Inc., on Government Street in Mobile and would appreciate your urging the Sheriff's Department of Mobile to effect service.

Should it be necessary that a representative of Riviera come to Mobile and escort a member of the Sheriff's Department to the location, we will be glad to furnish this assistance.

We do want service.

Yours very truly,


C. G. Chason

CGC:bms

CC: E. L. Courtney
Riviera Utilities
Foley, Alabama

*Please have Mrs. Duck
return this paper & we will send it
back to Mobile.*

4872

LAW OFFICES
BLACKMARR & STOCKMAN
951 GOVERNMENT STREET BUILDING - ROOM 323
MOBILE, ALABAMA

KEENER T. BLACKMARR
SAMUEL L. STOCKMAN

TELEPHONE HE 2-0735
AREA CODE (205)

March 8, 1963

Honorable Cecil Chason
Attorney at Law
Foley, Alabama

Re: Riviera Utilities vs.
Barber Food Services, Inc.

Dear Cecil :

Enclosed is a pleading withdrawing the demand for
a jury in this cause and consent to your taking
a judgment nil dicit for whatever balance is due.
I leave computation of these figures up to you.

Yours very truly,

BLACKMARR & STOCKMAN


Keener T. Blackmarr

KTB:sk
Enc.

cc: Barber Food Services, Inc.