

FRED F. SMITH, JR.

ATTORNEY-AT-LAW

200 WOODMEN OF WORLD BUILDING

131 E. CLARK AVENUE

PRICHARD, ALABAMA 36610

December 16, 1963

FRED F. SMITH, JR.

LEO A. SMITH, JR.

P. O. BOX 10622

PHONE GL 2-3081

Mrs. Alice J. Duck, Clerk
Circuit Court of Baldwin County
County Courthouse
Bay Minette, Alabama

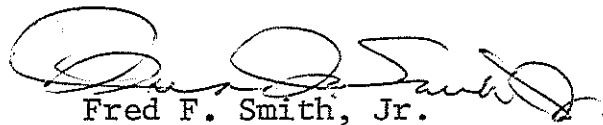
Re: Eolian A. England, etc. vs. H. H. Peebles
Case No.

5746

Dear Mrs. Duck:

Please dismiss the above styled cause upon payment of the costs
by the Defendant.

Very truly yours,


Fred F. Smith, Jr.

FFSjr/mc

EOLIAN A. ENGLAND, as Execu-
trix of the Estate of Herbert
C. England, deceased, doing
business as H. ENGLAND LUMBER
COMPANY,

Plaintiff

vs

H. H. PEEBLES

Defendant

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA

AT LAW

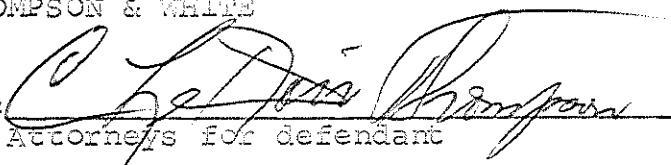
NO. _____

Comes the defendant in the above styled cause and propounds
the following interrogatories to the plaintiff, Eolian A. England,
as Executrix of the Estate of Herbert C. England, deceased, doing
business as H. England Lumber Company:

1. Examine the records of H. England Lumber Company for the
years 1957 through 1959 and list the checks paid by the said H.
England Lumber Company or by Herbert C. England to H. H. Peebles
as payment for sums owed by the said lumber company or owner thereof
to the said H. H. Peebles.

2. If the records indicate the purpose of said payments,
state hereon what the records show and attach a copy from the
record of the statement or basis of said payment.

THOMPSON & WHITE

BY: 

Attorneys 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 and I am one of the Attorneys 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.

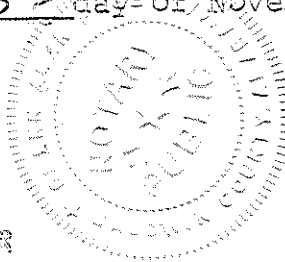

C. LeNoir Thompson

Subscribed and sworn to before me by the said C. LeNoir Thompson
on this the 10 day of November, 1963.

FILED

NOV 15 1963

ALICE J. DUCK, CLERK
REGISTER




Notary Public, Baldwin County, Alabama

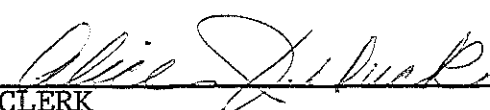
SUMMONS

STATE OF ALABAMA)
(
COUNTY OF BALDWIN)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon H. H. PEEBLES 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, Alabama, at the place of holding same by EOLIAN A. ENGLAND, as Executrix of the Estate of Herbert C. England, deceased, doing business as H. ENGLAND LUMBER COMPANY.

WITNESS my hand this the 12 day of ~~September~~, 1963.


CLERK

* * * * *

COMPLAINT

EOLIAN A. ENGLAND, as Executrix of the Estate of Herbert C. England, deceased, doing business as H. ENGLAND LUMBER COMPANY,

Plaintiff

VS.

H. H. PEEBLES,

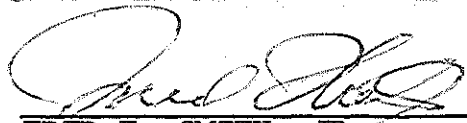
Defendant

) IN THE CIRCUIT COURT
(
) OF BALDWIN COUNTY,
(
) ALABAMA.

) AT LAW

) CASE NO. 5746.

COUNT I: The Plaintiff claims of the Defendant ONE HUNDRED THIRTY-SEVEN AND 96/100 DOLLARS (\$137.96) due from him by account on to-wit: the 27th day of March, 1962, which sum of money with the interest thereon is still unpaid.


FRED F. SMITH, JR.,
Attorney for Plaintiff

Serve Defendant: Ex-10-17-63

Daphne, Alabama.

FILED

OCT 12 1963

ALICE J. DUCK, CLERK
REGISTER

3746

Estlin A. England, Jr.

Received 14 day of Oct 1903
and on 17 day of Oct 1903
served a copy of the within to C
H. H. Peables
service on _____

TAYLOR WILKINS, Sheriff

By Fred Seibert D.S.
Malin

Sheriff claims 40 miles at
Ten Cents per mile Total \$ 4.00

TAYLOR WILKINS, Sheriff
BY Fred Seibert
DEPUTY

FILED

OCT 12 1903

ALICE L. DUCK, CLERK
REGISTER

ROLIAN A. ENGLAND, as Execu-	X	
trix of the Estate of Herbert	X	
C. England, deceased, doing	X	
business as H. ENGLAND LUMBER	X	IN THE CIRCUIT COURT OF
COMPANY,		
	X	BALDWIN COUNTY, ALABAMA
Plaintiff	X	
	X	AT LAW NO. _____
vs		
H. H. PEEBLES,	X	
	X	
Defendant		

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

1. That said complaint fails to state a cause of action.
2. That said complaint fails to allege the date of the appointment of the said executrix, complainant in said cause.

THOMPSON & WHITE

BY: 
Attorneys for defendant

FILED

NOV 13 1963

ALICE I. DUCK, CLERK
REGISTER