

SUMMONS

STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon DOYLE ELLIS and WANDA ELLIS, 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 MICKEY MILLER & COMPANY.

Witness my hand this the 10 day of April, 1964.

Alice J. Duck
Clerk

* * * * *

COMPLAINT

MICKEY MILLER & COMPANY,)

PLAINTIFF,)

VS:)

DOYLE ELLIS and WANDA ELLIS,)

DEFENDANTS.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

6024

COUNT I:

The Plaintiff claims of the Defendant FOUR HUNDRED FORTY-FIVE & 00/100 DOLLARS (\$445.00) for breach of certain lease agreement dated September 10, 1963 of which ONE HUNDRED SEVENTY & 00/100 DOLLARS (\$170.00) is due for rent for premises on 1859 Canal Street, Mobile, Alabama, and TWO HUNDRED & 00/100 DOLLARS (\$200.00) is due for damages as follows: Two holes in kitchen wall, floor on back porch ruined, keys missing therefore requiring new locks, rubbish in house and yard for someone else to clean up, and attorneys fee of SEVENTY-FIVE & 00/100 DOLLARS (\$75.00) as provided for in said lease.

COUNT II:

The Plaintiff claims of the Defendant ONE HUNDRED SEVENTY & 00/100 DOLLARS (\$170.00) due under a certain lease agreement dated September 10, 1963, for premises at 1859 Canal Street, Mobile, Alabama, said lease provides for reasonable attorneys fee which the Plaintiff alleges to be SEVENTY-FIVE & 00/100 DOLLARS (\$75.00).

COUNT III:

The Plaintiff claims of the Defendant TWO HUNDRED & 00/100 DOLLARS (\$200.00) for damages due as follows: Two holes in kitchen wall, floor on back porch ruined, keys missing therefore requiring new locks, rubbish in house and yard for someone else to clean up. Said lease provides for a reasonable attorneys fee which the Plaintiff alleges to be SEVENTY-FIVE & 00/100 DOLLARS (\$75.00).

There is attached to the original hereof, an itemized statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the day of March, 1964.

Defendants' Address is:
Box 33
Summerdale, Alabama

M. J. C. 14
Attorney for Plaintiff

APR 21 1964

ALICE J. DUCK, CLERK

STATE OF ALABAMA)
COUNTY OF BALDWIN)

A F F I D A V I T

MICKEY MILLER, first being duly sworn, deposes and says as follows: That he is a partner of the Mickey Miller & Company of Mobile, Alabama, and that he was it's representative and agent for Alice S. Fisher, who leased certain property at 1859 Canal Street, Mobile, Alabama, to DOYLE ELLIS and WANDA ELLIS by lease dated September 10, 1963.

That DOYLE ELLIS and WANDA ELLIS failed to comply with said lease and moved from said property owing \$170.00 in rents under the terms of said lease and left \$200.00 damages to the premises consisting of: Two holes in kitchen wall, floor on back porch ruined, keys missing therefore requiring new locks, rubbish in house and yard for someone else to clean up. Said lease also provides for a reasonable attorneys fee which is alleged to be \$75.00.

Based on the above, I do hereby certify that the Defendants, DOYLE ELLIS and WANDA ELLIS are indebted to the MICKEY MILLER & COMPANY in the total amount of \$445.00 which remains unpaid.


MICKEY MILLER

Sworn to and subscribed before me on

this the 17th day of April, 1964.


NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

6024

SUMMONS

MICKEY MILLER & COMPANY,

PLAINTIFF,

VS:

DOYLE ELLIS and WANDA ELLIS,

DEFENDANT.

received 10 April 64
nd on 27 April 64
service of the within summons
on Doyle Ellis
Wanda Ellis
by service on _____

Taylor Wilkins, Sheriff
D. S.
Childress

Sheriff claims 120 miles at
Ten Cents per mile Total \$ 12.00
BY Childress
DEPUTY SHERIFF

FILED
APR 10 1964
ALICE L. DUCK, CLERK
HARRIS

MICKEY MILLER and COMPANY, X
 X IN THE CIRCUIT COURT OF
 X
 X
 X BALDWIN COUNTY, ALABAMA
 X
 X
DOYLE ELLIS and WANDA ELLIS, X AT LAW NO. 6024
 X
 X Defendants. X

DEMURRER:

Come now the Defendants in the above styled cause, separately and severally, by their attorneys, and demur to the Complaint heretofore filed by the Plaintiff in this cause and to each count thereof, separately and severally and assign the following separate and several grounds in support thereof:

1. That said Complaint fails to state a cause of action.
2. That said Complaint fails to allege that the Plaintiff owns the property upon which said lease was made.
3. That said Complaint fails to allege that any lease agreement has been entered into between the Defendants and the Plaintiff.
4. That said Complaint fails to state whether the Plaintiff is a corporation or a partnership.
5. That there is no allegation in said complaint that the Defendants jointly, or either of them, are responsible for or caused the conditions referred to as items of damage in said complaint.

CHASON, STONE & CHASON

FILED

MAY 13 1964

ALICE J. DUCK, CLERK
REGISTER

By: John Earle Chason

M. E. MILLER, a sole proprietorship,)
d/b/a MICKEY MILLER & COMPANY,)

PLAINTIFF,)

VS:)

DOYLE ELLIS and WANDA ELLIS,)

DEFENDANTS.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6024

AMENDED COMPLAINT

COUNT I:

The Plaintiff claims of the Defendant FOUR HUNDRED FORTY-FIVE & 00/100 DOLLARS (\$445.00) for breach of certain lease agreement dated September 10, 1963 entered into by and between the Plaintiff and the Defendants of which ONE HUNDRED SEVENTY & 00/100 DOLLARS is due for rent for premises owned by the Plaintiff on 1859 Canal Street, Mobile, Alabama, and TWO HUNDRED & 00/100 DOLLARS (\$200.00) is due for damages in which the Defendants are jointly and severally responsible under the terms of said lease, as follows: Two holes in kitchen wall, floor on back porch ruined, keys missing therefore required new locks, rubbish in house and yard for someone else to clean up, and attorneys fee of SEVENTY-FIVE & 00/100 DOLLARS (\$75.00) as provided for in said lease.

There is attached to the original hereof, an itemized statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the ___ day of March, 1964.



Attorney for Plaintiff

Defendants' address is :

Box 33
Summerdale, Alabama

FILED
JUN 12 1964
ALICE J. DUCK, CLERK
REGISTER

M. E. MILLER, a sole
proprietorship doing business
as MICKEY MILLER & COMPANY,

Plaintiff,

vs.

DOYLE ELLIS and WANDA ELLIS,

Defendants.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE #6024

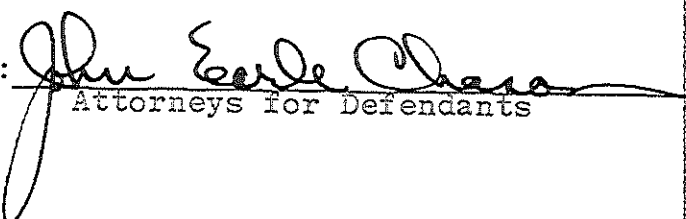
PLEA

Come now the Defendants in the above styled cause,
separately and severally, by their attorneys, and for answer to
the amended complaint heretofore filed by the Plaintiff in this
cause plead as follows:

1. The allegations of the complaint are untrue.

CHASON, STONE & CHASON

By:


Attorneys for Defendants

FILED

NOV 10 1964

ALICE J. DUCK, CLERK
REGISTER