

RICH PLAN OF MOBILE, a )  
corporation, )  
vs. )  
OLLIE JAMES, )  
Defendant. )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

*No. 6332*

Plaintiff claims of the Defendant the sum of ONE HUNDRED FIFTEEN AND 78/100 (\$115.78) DOLLARS due from him by open account from on, to-wit: the 13th day of September, 1964, until on, to-wit: the 13th day of October, 1964, which sum of money with the interest thereon is still unpaid.

*John I. Dicks*  
ATTORNEY FOR PLAINTIFF

The Defendant can be served at

Newport Industries, Bay Minette,  
Alabama.

FILED  
AUG 11 1964  
CLERK OF COURT

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, Baldwin County

No. ....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon OLLIE JAMES

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, State of Alabama, at Bay Minette, against.....

.....OLLIE JAMES....., Defendant.....

by .....RICH PLAN OF MOBILE, a corporation,.....

....., Plaintiff.....

Witness my hand this.....9.....day of.....Dec.....1964

E4-12-14-64

W. J. French..... Clerk

No. 6339

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

RICH PLAN OF MOBILE, a

corporation,

Plaintiffs

vs.

OLLIE JAMES

Defendants

SUMMONS AND COMPLAINT

Filed **FILED** ..... 19.....

DEC 9 1984

Clerk

ALICE J. DUCK, CLERK  
REGISTER

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at  
Newport Industries,  
Bay Minette, Alabama

Received In Office

DEC 14 1984

19.....

SHERIFF

Sheriff

I have executed this summons

this 12-14 1984

by leaving a copy with

Ollie James

Sheriff

Walter Welburn Sheriff

W. A. Zeller Deputy Sheriff

D. Vell

RICH PLAN OF MOBILE,  
A Corporation,

Vs.

OLLIE JAMES,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

# 6332

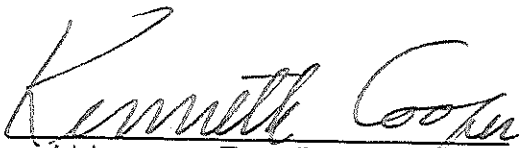
*ANSWER*

ONE

The defendant, as a defense to the action of the plaintiff, saith that, at the time said alleged open account was incurred, the plaintiff delivered to defendant a larger freezer box than he had ordered, and that plaintiff failed to furnish the quantities of foods with the freezer box agreed upon when the agreement was made, hence defendant's failure to pay the amount claimed by plaintiff; and defendant alleges that plaintiff re-possessed the freezer box delivered, which was in new condition; and that plaintiff has already been paid in full.

TWO

The defendant, for answer to the Complaint, saith that he is not guilty of the matters alleged therein.

  
Attorney For Defendant

Attorney For Plaintiff:

Hon John V. Duck  
Fairhope, Alabama

**FILED**

NOV 2 1965

ALICE J. DICK, CLERK  
REGISTER

RICH PLAN OF MOBILE,  
a Corporation,

vs.

OLLIE JAMES,

Defendant.

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

)  
AT LAW  
6332

Comes now the defendant in above-styled cause, and demurs to the complaint heretofore filed in this cause, and to each and every count thereof, separately and severally, and assigns as grounds for demurrer thereto the following:

1. The complaint does not state a cause of action.

2. The complaint does not state when the alleged open account was incurred.

3. The complaint fails to allege with sufficient certainty whether the alleged open account was incurred on "the 13th day of September, 1964," or that it became due on that said date.

4. The complaint fails to allege with sufficient certainty whether the date of "the 13th day of October, 1964, was the date the alleged open account was incurred or whether that is the date the said open account became due and payable.

*Kenneth Cooper*  
Attorney For Defendant

Defendant demands a trial  
by jury in this cause.

*Kenneth Cooper*  
Attorney For Defendant

Attorney of Record for Plaintiff:

Hon John V. Duck  
Fairhope, Alabama

FILED

DEC 30 1964

ALICE L. DUCK, CLERK  
REGISTER