

522

WALTER JONES

Plaintiff

vs.

TERRY D. HUGGINS

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN LAW.

comes the defendant in the above styled cause and files this, his demurrer to the complaint filed in said cause, and to each and every count thereof, separately and severally, and as grounds therefor says:

FIRST: That said complaint does not state a cause of action.

SECOND: That it shows on its face that it is barred by the statute of limitations of three years.

THIRD: It does not show when the payments were made on said account.

FOURTH: It does not show when the credits were allowed on said account.

FIFTH: That the purported itemized statement of account is not in accordance with the law.

Robert C. Brown
ATTORNEY FOR DEFENDANT

RECORDED
DEMURRER

WALTER JONES,

PLAINTIFF

vs.

TERRY D. HUGGINS,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN LAW.

Filed July 19 1939

R. S. Duck
CLERK

By *Walter Huggins*
Deputy Clerk

THE STATE OF ALABAMA

COUNTY OF BALDWIN

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:-

You are hereby commanded to summon TERRY D. HUGGINS to
~~appear at the next term of the Circuit Court, to be hold for said~~
County, at the place of holding the same, then and there to answer
to the complaint of WALTER JONES.

WITNESS my hand this 19 day of June, 1938.

R. S. Duck

CLERK

By Handlin Thompson
Deputy Clerk

WALTER JONES,

Plaintiff

VS

TERRY D. HUGGINS,

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN LAW.

COUNT ONE:-

The Plaintiff claims of the Defendant the sum of SIX HUNDRED FORTY
NINE and 67/100 DOLLARS (\$649.67) due by the Defendant to the
Plaintiff by open account on, to-wit, the 1st day of June, 1935,
which said sum together with the interest thereon is still due and
unpaid.

COUNT TWO:-

The Plaintiff claims of the Defendant the sum of SIX HUNDRED FORTY
NINE and 67/100 DOLLARS (\$649.67) due from him by account on, to-wit:
the 1st day of June, 1935, which sum of money together with the
interest thereon is still due and unpaid.

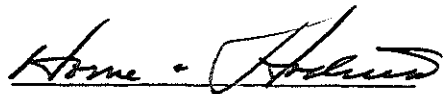
COUNT THREE:-

The Plaintiff claims of the Defendant the sum of SIX HUNDRED FORTY

NINE and 67/100 DOLLARS (\$649.67) due from him on account stated between Plaintiff and Defendant on the 1st day of June, 1935, which said sum of money together with the interest thereon is still due and unpaid.

COUNT FOUR:-

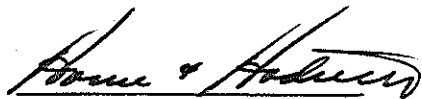
The Plaintiff claims of the Defendant the sum of SIX HUNDRED FORTY NINE and 67/100 DOLLARS (\$649.67) for merchandise, goods and chattels sold by the Plaintiff to the Defendant on, to-wit, the 1st day of June, 1935, which said sum of money together with the interest thereon is still due and unpaid.



HORNE & HODNETTE
Attorneys for Plaintiff

Plaintiff admits credits on the above account totaling \$114.00.

Plaintiff has hereto attached an itemized and verified statement of account which said statement of account will be used as evidence in said cause.



HORNE & HODNETTE
Attorneys for Plaintiff

Plaintiff demands a trial by jury of the issues of this cause.

Horne and Hodnette
Attys for the Plaintiff

STATEMENT OF ACCOUNT

Account rendered	\$244.23
Account rendered	158.32
3-1-35 144 lbs beef @ 12 $\frac{1}{2}$ ¢ and meat	18.92
3-1-35 196 lbs beef @ 12 $\frac{1}{2}$ ¢	24.50
3-9-31 Eggs 56¢, oysters 60¢, meat \$1,	2.21
Pork 29 $\frac{1}{2}$ lbs. @ 12 $\frac{1}{2}$ ¢	4.35
1 beef 144 lbs. @ 12 $\frac{1}{2}$ ¢	17.00
3-14- 1 quarter beef 32 lbs @ 12 $\frac{1}{2}$ ¢	4.00
$\frac{1}{2}$ beef 46 lbs. @ 13¢, meat	6.98
3-16 $\frac{1}{2}$ cow 134 lbs., 1 veal 46 lbs., 1 side beef 43 $\frac{3}{4}$ lbs;	27.95
3-21 74 lbs. beef @ 12 $\frac{1}{2}$ ¢	9.25
3-24- $\frac{1}{2}$ cow 110 lbs; 1 quarter beef 80 lbs. @ 15¢	28.50
3-26- $\frac{1}{2}$ beef 96 lbs., meat @ 13 $\frac{1}{2}$ ¢	12.96
$\frac{1}{2}$ calf	5.16
3-28- 26 lbs. meat @ 15¢	3.58
$\frac{1}{2}$ beef	16.90

\$649.67

Walter Jones

Sworn to and subscribed before me, this 10th day of June, 1939

Robert E. Hodges

NOTARY PUBLIC

Essex Co. N.Y., Ossining

Received in office
 this 19th day of
 June 1939
 Wm Stewart
 Sheriff
 Excused from
 duty 1939 by
 serving as
 of Althine Shavers
 on Lang. I. Higgins
 Wm Stewart
 Sheriff

RECORDED

Summons & Complaint

Filed June 19, 1939
 R. B. DUCK
 clerk, - registered
 By Wm Stewart
 Deputy

8-10-39	100.00	100.00
8-12-39	100.00	100.00
8-14-39	100.00	100.00
8-16-39	100.00	100.00
8-18-39	100.00	100.00
8-20-39	100.00	100.00
8-22-39	100.00	100.00
8-24-39	100.00	100.00
8-26-39	100.00	100.00
8-28-39	100.00	100.00
8-30-39	100.00	100.00
8-31-39	100.00	100.00
9-1-39	100.00	100.00
9-2-39	100.00	100.00
9-3-39	100.00	100.00
9-4-39	100.00	100.00
9-5-39	100.00	100.00
9-6-39	100.00	100.00
9-7-39	100.00	100.00
9-8-39	100.00	100.00
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12-29-39	100.00	100.00
12-30-39	100.00	100.00
12-31-39	100.00	100.00

[illegible]

THE STATE OF ALABAMA,
Baldwin County.

By virtue of the within execution, I have at -----

o'clock, ----- M., this ----- day of ----- 193----- levied

COLLECTION COSTS FROM

The State of Alabama,
BALDWIN COUNTY

I hereby certify that the within
and costs in this case are correct, and there was
waiver of exemption as to personal prop-
erty under the Constitution and Laws of Ala-
bama.

This ----- day of ----- 193-----

Clerk.

Received in office November 20, 1940

193-----

Sheriff

Sheriff's Execution Docket, Page -----

Sheriff's Fee Book, ----- Page 522

Returned this 20th day of January
1941 no property of the Plaintiff
found in Baldwin County

W. R. Stuart Sheriff
By M. B. Hammett Deputy

No. 522 Page -----

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

Walter Jones

Plaintiff--

vs.

Jerry D. Higgins

Defendant--

Civil Execution for Costs
Against Plaintiff

Costs ----- \$ 12.00

Civil Fee Book ----- Page 522

Execution Docket " " ----- Page 522

Filed ----- November 20, 1940

R. S. Dink Clerk.

Norman A. Haden

Plaintiff's Attorney

Hybert & Clason

Defendant's Attorney

Received in Sheriff's Office

this 22 day of November 1940

W. R. STUART, Sheriff