

658

AMENDED COMPLAINT.

The Pace Company, a  
Corporation,  
Plaintiff,  
  
vs  
  
M. E. Johnston,  
Defendant.

No. 658.  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW.

1. The plaintiff claims of the defendant Eighteen Hundred and Thirty-seven and 80/100 Dollars (\$1837.80) due from him by account on, to-wit: the 15th day of October, 1940, which sum of money, with the interest thereon, is still unpaid.

2. The plaintiff claims of the defendant Eighteen Hundred and Thirty-seven and 80/100 Dollars (\$1837.80) due from him on account stated between the plaintiff <sup>and defendant</sup> on, to-wit: the 15th day of October, 1940, which sum of money, with the interest thereon, is still unpaid.

H. E. Smith  
Attorney for the Plaintiff.

The Pace Company, a  
Corporation,  
Plaintiff,

vs

M. E. Johnston,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

*Filed Apr 30 1942*  
*Rebuch*  
*Clut*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW.

Comes M. E. Johnston, the Defendant in the above styled cause, and moves the Court to enter a discontinuance of this cause of action, and as grounds therefor, says:-

FIRST:

That there has been a complete change of party Plaintiff in said cause of action.

SECOND:

That the Plaintiff has attempted to amend the Complaint filed in this cause by striking The Pace Company of Robertsdale, Alabama, as Plaintiff, and substituting therefor The Pace Company, a Corporation, as Plaintiff, without averring any connection whatever between the Pace Company of Robertsdale, Alabama and The Pace Company, a Corporation, and making another and distinct party the Plaintiff.

*Deputy & Counsel*  
Attorneys for Defendant.

THE PACE COMPANY OF ROBERTSDALE,  
ALABAMA,

Plaintiff,

-vs-

M. E. JOHNSTON,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

Comes the Defendant in the above styled cause and  
demurs to Count 1 of the Complaint filed in said cause and as  
grounds therefor says:

FIRST:

That said Complaint does not state a cause of action.

SECOND:

That said Complaint is vague and indefinite.

THIRD:

That the Plaintiff has attempted in one count to join  
more than one cause of action.

FOURTH:

That the Plaintiff has attempted to join in one count  
a suit on open account, a suit on account stated, a suit for mer-  
chandise, good and chattels sold, and for money received by the  
Defendant to the use of the Plaintiff.

*DePaulo Shanon*  
Attorneys for Defendant.

Defendant demands a trial of  
this cause by jury.

*DePaulo Shanon*  
Attorneys for Defendant.

MOTION.

THE PACE COMPANY OF  
ROBERTSDALE, ALABAMA,

Plaintiff,

VS.

M. E. JOHNSTON,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

FILED SEPTEMBER 22, 1943.

*Rayfield*  
*Chief*

RECORDED

DEMURRER.

THE PACE COMPANY OF ROBERTSDALE  
ALABAMA,

Plaintiff,

-VS-

M. E. JOHNSTON,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

FILED 25<sup>th</sup> DAY OF JUNE, 1941.

R. S. Duck  
Clerk.

SUMMONS AND COMPLAINT

STATE OF ALABAMA }  
BALDWIN COUNTY }

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon M. E. Johnston to appear within thirty days from the service of this writ in the Circuit Court of this County, at the place of holding the same, then and there to answer the complaint of the Pace Company of Robertsdale, Alabama.

Witness my hand this 30th day of April, 1941.

*H. S. Much*  
Clerk of Circuit Court, Baldwin  
County, Alabama

\* \* \* \* \*

COMPLAINT

THE PACE COMPANY OF ROBERTSDALE,  
ALABAMA,

Plaintiff,

-vs-

M. E. JOHNSTON,

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

Count One: The Plaintiff claims of the Defendant One Thousand Eight Hundred Thirty-seven and 80/100 Dollars (\$1837.80) due from him by account on the 15th day of October, 1940 on account stated between the Plaintiff and the Defendant on October 15, 1940 for merchandise, goods, and chattels sold by the Plaintiff to the Defendant on September 5, 1940 at his request; received by the defendant to the use of the Plaintiff, which sum of money with interest thereon is still due and unpaid.

*Orvis M. Brown*  
Orvis M. Brown, Attorney for Plaintiff

Dependant live at Fairhope,  
near Ship Bay Bridge, Smith

RECORDS

THE PACE COMPANY OF ROBERTSDALE,  
ALABAMA,

Plaintiff,

-vs-

M. E. JOHNSTON,

Defendant.

SUMMONS AND COMPLAINT

Filed April 30, 1941  
R. S. Duch, Clerk

Received in Sheriff's Office  
this 7 day of June, 1941  
W. R. STUART, Sheriff

Executed June 14<sup>th</sup> 1941  
by serving copy of within Summons and  
Complaint on

Wm. E. Johnson

W. R. Stuart Sheriff  
By Joseph Pace Deputy Sheriff

County of the Peace Company of Robertsdale, Alabama.  
County of the Peace of the same, then and there to answer and con-  
fess to the service of this writ in the Circuit Court of the  
County of the Peace, commenced to answer M. E. Johnston to answer against  
to the service of this writ in the Circuit Court of the  
County of the Peace.

SUMMONS AND COMPLAINT

COMPLAINT

THE PACE COMPANY OF ROBERTSDALE,  
ALABAMA,

Defendant.

IN THE CIRCUIT COURT OF  
THE COUNTY OF ROBERTSDALE,  
ALABAMA.

County of the Peace  
State of Alabama, Robertsdale



Attorneys for Defendant.

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Recd per 7-1944  
R. W. H. H.  
H. H. H.

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