

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

YOU ARE HEREBY COMMANDED to summons W. W. HOILES and B. B. LARRIMORE, to appear withing thirty days from the wervice of this writ in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the complaint of E. E. BYRD.

Witness my hand this the 29 day of August, 1946.

R. R. R. R.
Clerk

E. E. BYRD

PLAINTIFF

VS

W. W. HOILES and
B. B. LARRIMORE

DEFENDANTS

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.

1.

The Plaintiff claims of the Defendant THREE HUNDRED FIFTY (\$350.00) DOLLARS due from them by account on, to-wit, February 1, 1946.

2.

The plaintiff claims of the defendant THREE HUNDRED FIFTY(\$350.00) DOLLARS damages for the conversion by them on to-wit, the 1 day of February, 1946, of various items of household furniture, the property of the plaintiff.

Thurston
Attorney for the plaintiff

990
RECORDED

E. E. Byrd

Plaintiff

vs

W. W. Hoiles et al

Defendants

Bill of Complaint

Executed this 8-30-46
by leaving a copy of
within with

W. W. Hoiles

B. B. Larrimore

C. E. Garrett Sheriff

WED DS

Filed Aug 29-1946
P. H. H. H.
Club

E. E. BYRD

PLAINTIFF

VS.

W. W. HOILES and
B. B. LARRIMORE

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.

Comes B. B. Larrimore, one of the Defendants in the above styled cause and demurs to the Complaint filed in said cause, and each and every paragraph thereof, separately and severally and assigns the following separate and several grounds, viz:-

ONE:

That said action purports to be a suit on the Law side of the Court but is brought on the Equity side of the Court.

TWO:

That the Plaintiff has an adequate remedy at Law.

THREE:

That paragraph one of the Complaint does not alledge that the sum of money claimed thereby, is due and unpaid.

FOUR:

That the Plaintiff "claims of the Defendant" in each paragraph but does not alledge which defendant he claims is indebted.

FIFTH:

That there is a misjoinder of parties defendant in this cause of action.

SIXTH:

That paragraph two of the Complaint fails to properly itemize and set forth the items of household furniture that the Plaintiff claims the Defendants converted.

Hyperbent Larrimore
Attorneys for B. B. Larrimore

Defendant B. B. Larrimore demands
a trial of this cause by a Jury.

Hyperbent Larrimore
Attorneys for B. B. Larrimore.

990
DEMURRER
RECORDED

E. E. BYRD
PLAINTIFF
VS.
W. W. HOILES and
B. B. LARRIMORE
DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Filed this 25 day of
September, 1946.

R. S. Duck
Register

BYRD
HOILES
LARRIMORE

BYRD
HOILES
LARRIMORE

E. E. BYRD

PLAINTIFF

VS.

W. W. HOILES and
B. B. LARRIMORE

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.

Comes W. W. Hoiles, one of the Defendants in the above styled cause and demurs to the Complaint filed in said cause, and each and every paragraph thereof, separately and severally and assigns the following separate and several grounds, viz:-

ONE:

That said action purports to be a suit on the Law side of the Court but is brought on the Equity side of the Court.

TWO:

That the Plaintiff has an adequate remedy at Law.

THREE:

That paragraph one of the Complaint does not alledge that the sum of money claimed thereby, is due and unpaid.

FOUR:

That the Plaintiff "claims of the Defendant" in each paragraph but does not alledge which defendant he claims is indebted.

FIFTH:

That there is a misjoinder of parties defendant in this cause of action.

SIXTH:

That paragraph two of the Complaint fails to properly itemize and set forth the items of household furniture that the Plaintiff claims the Defendants converted.

Hyperbolic
Attorneys for W. W. Hoiles

Defendant W. W. Hoiles demands
a trial of this cause by a Jury.

Hyperbolic
Attorneys for W. W. Hoiles.

990

DEMURRER

RECORDED

E. E. BYRD

PLAINTIFF

VS.

W. W. HOILES and
B. B. LARRIMORE

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Filed this 25 day of
September, 1946.

R. S. Duck
Register

E. E. BYRD

PLAINTIFF

VS

W. W. HOILES AND
B. B. LARRIMORE

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW

Now Comes the Plaintiff and amends his complaint, heretofore filed in this cause by adding the following:

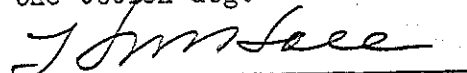
3.

The Plaintiff claims of the Defendant THREE HUNDRED AND FIFTY (\$350.00) DOLLARS due from them by account on to-wit, February 1, 1946, which sum of money is still due and unpaid.

4.

The Plaintiff claims of the Defendants the sum of THREE HUNDRED AND FIFTY (\$350.00) DOLLARS, damages for the conversion by them on to-wit, the 1st day of February, 1946, of various items of household furniture, the property of the Plaintiff, to-wit:

One Marble table; one radio; 1 silver set; 1 clock;
two velvet rugs; one dresser set; one totlen dog.


Attorney for the Plaintiff

RECORDED

filed
2-27-47

Alice J. Much
Court

Re the jury find for the defendants
B.B. Lammie & W.W. Hailes

Elmer V. Lovell
Foreman

E. E. BYRD,

Plaintiff

VS.

W. W. HOILES AND
B. B. LARRIMORE,


Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

Comes the Defendant, W. W. Hoiles, and for answer to the Complaint in this cause, and to each and every count thereof, separately and severally, pleads in short by consent the general issue, with leave to give in evidence any matter which if well pleaded, would be admissible in defense of the action, to have effect as if so pleaded; and with leave to the Plaintiff to give in evidence any matter, which if well pleaded, would be admissible in reply to such defensive matter, to have effect as if so pleaded.


Attorneys for Defendant.

RECORDED

ANSWER OF W. W. HOILES

E. E. BYRD,

Plaintiff

VS.

W. W. HOILES AND
B. B. LARRIMORE,

Defendants

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

Filed 2-27, 1947

Alice J. Leach
Clerk.

E. E. BYRD,

Plaintiff

VS.

W. W. HOILES AND
B. B. LARRIMORE,

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE

Comes the Defendant, B. B. Larrimore, and for answer to the Complaint in this cause, and to each and every count thereof, separately and severally, pleads in short by consent the general issue, with leave to give in evidence any matter which if well pleaded, would be admissible in defense of the action, to have effect as if so pleaded; and with leave to the Plaintiff to give in evidence any matter, which if well pleaded, would be admissible in reply to such defensive matter, to have effect as if so pleaded.


Attorneys for Defendants.

RECORDED

ANSWER OF B. B. LARRIMORE.

E. E. BYRD,

Plaintiff

VS.

W. W. HOILES AND
B. B. LARRIMORE,

Defendants

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

Filed 2 27, 1947

Alvin J. Leuck
Clerk.

390

JURY LIST
FIRST WEEK

NO.	NAME	OCCUPATION	RESIDENCE
1.	DAN GALT	FARM BUREAU EMP.	BAY MINETTE
2.	FRED MCKENZIE	BRIDGE TINDER	MAGNOLIA SPRINGS
3.	CLARENCE MOORE	FARMER	FAIRHOPE
4.	W. D. WHITE	MERCHANT	BAY MINETTE
6.	NED NOOMAN	SIGN PAINTER	BAY MINETTE
7.	WILLIAM A. CLOVER	FARMER	DAPHNE
8.	JACK MATTHEWS	PARTS MANAGER	BAY MINETTE
9.	WM. P. BAIDWIN	PRODUCE AGENT	ROBERTSDALE
10.	HENRY S. SKIFFER	DEFENSE	LOXLEY
11.	ELMER V. LOVELL	SALESMAN	SILVERHILL
12.	C. C. BROWN	NAVY YARD	JOSEPHINE
13.	J. A. MOTHERHEAD	FARMER	LOTTIE
14.	JOSEPH LYAD	CLERK	BAY MINETTE
15.	LAWRENCE F. BOESCHEN	FARMER	BAY MINETTE
16.	JOHN BROUGHTON	BARBER	BAY MINETTE
17.	ELWOOD G. POOS	OIL AGENT	ROBERTSDALE
18.	CHARLES WENZEL	MERCHANT	FOLEY
19.	GEORGE HEIDELBERG	FARMER	SILVERHILL
20.	COLEMAN ARMSTRONG	SALESMAN	BAY MINETTE
21.	JESSIE M. BRANTLEY	FARMER	DAPHNE
22.	ROY MAGATH	DEFENSE	STAPLETON
23.	THOMAS J. DAVIDSON SR.	MERCHANT	BAY MINETTE
24.	GEORGE HOLK	INSURANCE	FOLEY
25.	WONG A COX	MERCHANT	STOCKTON