

) IN THE CIRCUIT COURT OF  
) BALDWIN COUNTY, ALABAMA  
)  
) AT LAW NO. 1064

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of the defendant the sum of Four Hundred Nine and 25/100 (\$409.25) Dollars for merchandise, goods and chattels sold by the plaintiff to the defendant on the, to-wit, 18th day of June, 1946, which sum of money, with interest thereon, is still unpaid.

MCCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS,

By: James M. May Jr.

HYBART & CHASON,

By: Hybart Chason  
Attorneys for Plaintiff

Defendant's Address:

Fairhope, Alabama.

Plaintiff demands a trial of this  
cause by a jury.

Hybart Chason  
Attorneys for Plaintiff.

RECORDED

Received in Sheriff's Office  
May 15 day of May 1947  
TAYLOR WILKINS, Sheriff

20 June 1947

Copy of within Summons and

on H. R. Hall

Taylor Wilkins Sheriff  
Jessie B. Gifford Deputy Sheriff

RECORDED

SUMMONS AND COMPLAINT

DEWITT SMITH, JESSIE B. HARRIS  
AND CHARLES F. LONGINO,  
individually and as partners  
doing business under the firm  
name of OIL FIELD LUMBER AND  
SUPPLY COMPANY,

Plaintiff,

-VS-

HORACE R. HALL, individually  
and doing business as  
H. R. HALL AND COMPANY,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

AT LAW NO. 1064.

FILED

MAY 15 1947

ALICE J. DUCK, Clerk

LAW OFFICES

HYBART & CHASON

BAY MINETTE, ALABAMA

DeWITT SMITH, JESSIE B. HARRIS )  
and CHARLES F. LONGINO, )  
individually and as partners )  
doing business under the firm )  
name of OIL FIELD LUMBER AND )  
SUPPLY COMPANY, )

Plaintiff, )

-VS- )

HORACE R. HALL, individually )  
and doing business as )  
H. R. HALL AND COMPANY, )

Defendant. )

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

Now comes the Plaintiff in the aforesaid cause and  
files this his demurrer, separately and severally to each plea  
of the Defendant and for grounds therefor says:-

FIRST:

That it presents no defense to this cause of action.

SECOND:

That the purported plea of recoupment fails to state  
that Defendant's demand grew out of the original transaction.

THIRD:

For aught appearing the merchandise sold to the  
Plaintiff was not sold on his faith and credit.

FOURTH:

That neither of said pleas properly plead a set-off  
or recoupment, as a defense to this cause of action.

HYBART & CHASON

BY:           

Attorneys for Plaintiff.

RECORDED

DEMURRER TO PLEAS

DEWITT SMITH, JESSIE B. HARRIS  
and CHARLES F. LONGINO,  
individually and as partners  
doing business under the firm  
name of OIL FIELD LUMBER AND  
SUPPLY COMPANY,

Plaintiff,

-VS-

HORACE R. HALL, individually  
and doing business as  
H. R. HALL AND COMPANY,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, AT

LAW NO. 1064

Filed October 1, 1947.

*Alice J. Luck*  
*clerk*

DEWITT SMITH, JESSIE B. HARRIS  
and CHARLES F. LONGINO,  
individually and as partners  
doing business under the firm name  
of OIL FIELD LUMBER AND SUPPLY CO.

Plaintiff

vs

HORACE R. HALL, individually and  
doing business as  
H. R. HALL AND COMPANY

Defendant

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY

) ALABAMA

) At Law

As to the Plaintiffs' Bill of Complaint in the above titled cause,  
~~Plaintiff~~, Horace R. Hall, says that he has not sufficient information  
upon which to form a conclusion or belief and therefore demands strict  
proof of the allegations therein contained.

Further and by way of recoupment, Defendant says that there is due him  
(Three)  
from Plaintiffs the sum of ~~XXXX~~ Thousand (\$000) Dollars for services  
rendered by Defendant as commission merchant in behalf of Plaintiffs  
from March 1st 1946 to June 1st 1946, and

Defendant is due the sum of \$386.00 for merchandise sold to Plaintiffs  
on, to wit: April 8th 1946, and

Defendant is due the further sum of \$207.50 for merchandise sold to  
Plaintiffs on, to wit: May 9th 1946,

All of which above set forth amounts are unpaid and still due to Def-  
endant, Wherefore Defendant claims judgment for so much thereof as shall  
be determined to be in excess of such amounts as may be proven under  
Plaintiffs' Bill.

E. A. CRAMER

  
Attorney for Defendant.

1064

RECORDED

FILED

JUL 17 1947

ALICE J. DUCK, REGISTRAR

1064

1064

STATE OF ALABAMA,  
BALDWIN COUNTY.

IN THE CIRCUIT COURT-LAW SIDE.

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

You are hereby commanded to summon Horace R. Hall, individually and doing business as H. R. Hall and Company, to appear within thirty days from the service of this writ in the Circuit court to be held for said County at the place of holding same, then and there to answer the Complaint of DeWitt Smith, Jessie B. Harris and Charles F. Longino, individually and as partners doing business under the firm name of Oil Field Lumber and Supply Company.

Witness my hand this 15 day of May, 1947.

Alice L. Luck  
Clerk.