

MOTION FOR JUDGMENT BY DEFAULT

FOLEY BUILDING SUPPLY CO.,
PLAINTIFF

VS:

C. M. NORTHCUTT,
DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW CASE NO. 1687

Comes the Plaintiff by its attorney, and moves the Court to render Judgment by Default in the amount of THREE HUNDRED SIX & 88/100 DOLLARS (\$306.88), Principal, plus accrued interest to date in the amount of THIRTY FIVE & 24/100 DOLLARS (\$35.24), for a total of THREE HUNDRED FORTY TWO & 12/100 DOLLARS against the Defendant.

There is attached hereto and made a part of this Motion for Judgment by Default, an affidavit of a competent witness sworn to before a Notary Public.

James H. Clues
Attorney for Plaintiff

FILED NOV 10 1961

CLERK OF COURT

IN THE CIRCUIT COURT OF

RECEIVED

C. M. NORTHCUTT

AS:

DEFENDANT

FOLEY BUILDING SUPPLY CO.

NOTARY FOR JUDGMENT BY DEFAULT

RECEIVED
NOV 10 1961
CLERK OF COURT

RECEIVED
NOV 10 1961
CLERK OF COURT

RECORDED

FILED

OCT 11 1951

MORCE A. DUCK, Clerk

MOTION FOR JUDGMENT BY DEFAULT

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PLAINTIFF

VS:

C. M. NORTHCUTT,

DEFENDANT

IN THE CIRCUIT COURT OF

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Handwritten signature and notes in the margin.

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page.]

AMANDA TREVINO KIRKLAND
BUTLER COUNTY, ALABAMA
1951. OCT 11 1951
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 1687
AT LAW
C. M. NORTHCUTT, Plaintiff
vs.
MORCE A. DUCK, Clerk

AFFIDAVIT OF B. E. EASTBURN

FOLEY BUILDING SUPPLY CO.,

PLAINTIFF

VS:

C. M. NORTHCUTT,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 1687

B. E. EASTBURN, first being duly sworn, deposes and says as follows:

My name is B. E. Eastburn; I live at Foley, Alabama, and have a one-half interest in and am a partner in the FOLEY BUILDING SUPPLY CO., the plaintiff in the above styled cause, and as such partner have charge of the books of the plaintiff. I know that on January 24, 1949, C. M. NORTHCUTT, the defendant, of Robertsedale, Alabama, purchased building materials amounting to NINE HUNDRED FIFTY SIX & 88/100 DOLLARS (\$956.88); that he made the following payments, to wit: January 24, 1949, \$300.00; April 15, 1949, \$100.00; July 2, 1949, \$100.00; and November 12, 1949, \$150.00, for a total of \$650.00, for which he is entitled to credit, leaving a balance of THREE HUNDRED SIX & 88/100 DOLLARS (\$306.88), which is justly due the plaintiff, allowing all due credits.

FOLEY BUILDING SUPPLY CO.

BY:

B. E. Eastburn, Partner

Sworn to and subscribed before me,
a Notary Public in and for Baldwin County,
Alabama, this the 9th day of October, 1951.

Notary Public

DECEMBER 1951

RECORDED

FOLEY BUILDING SUPPLY CO.

AFFIDAVIT OF B. E. EASTBURN

RECORDED

FILED
OCT 11 1951
ALICE J. DUCK, Clerk

RECORDED

AFFIDAVIT OF B. E. EASTBURN

FOLEY BUILDING SUPPLY CO.

PLAINTIFF

VS:

C. M. NORTHCUTT,

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW CASE NO. 1687

FILED
OCT 13 1951
ALICE J. DUCK, Clerk

Plaintiff, says she saw and on October, 1951,
a notice being in and for Baldwin County,
Alabama, to the effect that the defendant,
C. M. Northcutt, is indebted to the plaintiff,
Foley Building Supply Co., for the sum of
\$100.00, and that the defendant is liable
for the same.

B. E. Eastburn, Sheriff
BY: _____
JOHN BUILDING SUPPLY CO.

Plaintiff, says she saw and on October, 1951,
a notice being in and for Baldwin County,
Alabama, to the effect that the defendant,
C. M. Northcutt, is indebted to the plaintiff,
Foley Building Supply Co., for the sum of
\$100.00, and that the defendant is liable
for the same.

Plaintiff, says she saw and on October, 1951,
a notice being in and for Baldwin County,
Alabama, to the effect that the defendant,
C. M. Northcutt, is indebted to the plaintiff,
Foley Building Supply Co., for the sum of
\$100.00, and that the defendant is liable
for the same.

SUMMONS

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

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

YOU ARE HEREBY COMMANDED to summon C. M. NORTHCUTT 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 C. M. NORTHCUTT, by the FOLEY BUILDING SUPPLY CO.

WITNESS my hand this the 30th day of July, 1951

W. J. Smith
Clerk

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COMPLAINT

FOLEY BUILDING SUPPLY CO.,)	
)	
PLAINTIFF)	IN THE CIRCUIT COURT OF
)	
VS:)	BALDWIN COUNTY, ALABAMA
)	
C. M. NORTHCUTT,)	AT LAW
)	
DEFENDANT)	

COUNT I:

The Plaintiff claims of the Defendant the sum of THREE HUNDRED SIX & 88/100 DOLLARS (\$306.88), together with interest thereon, due from him by account on, to wit: November 12, 1949, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The Plaintiff claims of the Defenant the sum of THREE HUNDRED SIX & 88/100 DOLLARS (\$306.88), together with interest thereon, due from him on account stated between the Plaintiff and the Defendant on, to wit: November 12, 1949, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The Plaintiff claims of the Defendant the sum of THREE HUNDRED SIX & 88/100 DOLLARS (\$306.88), together with interest thereon, due from him for merchandise, goods and chattels sold by the Plaintiff to the Defendant on, to wit: November 12, 1949, which sum of money, with interest thereon, is still unpaid.

W. J. Smith
Attorney for Plaintiff

The Defendant lives at Robertsedale, Ala.

Received in 1951 this 30 day of July, 1951
TAYLOR WILKINS, Sheriff

8-10-51

W 1687

RECORDED

SUMMONS AND COMPLAINT

FOLEY BUILDING SUPPLY CO.,

PLAINTIFF

VS:

C. M. NORTH CUTT,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

FILED

JUL 130 1951

ALICE J. DUCK, Clerk

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

Executed August 10 1951
by serving copy of within Summons and
Complaint on

C. M. Northcutt

Taylor Wilkins Sheriff

By Edna Stambaugh Deputy Sheriff

1687