

1835

WILLIAM V. PHILLIPS and
LAMBERT C. MIMS, individually
and doing business as Phillips-
Mims Feed & Flour Company

Plaintiff

v.

W.M. McDILL

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO. 1835

At Law

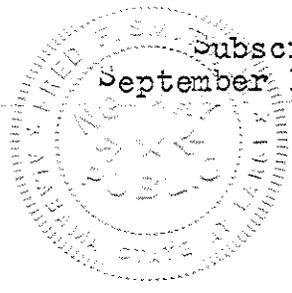
STATE OF ALABAMA
COUNTY OF MOBILE

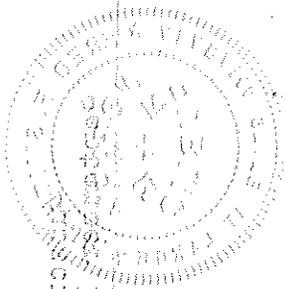
Before me, Fred F. Smith Jr., Notary Public, personally
appeared ~~William V. Phillips~~ ^{Phillips}, who being by me first duly sworn doth
depose and say that he is the plaintiff in the above styled
cause and that judgment has been rendered for him in the sum
of \$268.50 together with interest since the 24th. day of April
1951 and the costs of court which total sum is _____
against W.M. McDill; that the affiant and plaintiff is in danger
of losing the fruit of his judgment by delay because the defendant
is selling and disposing of his property consisting of a crop
of cotton located in Baldwin County, Alabama. Wherefore,
affiant prays that execution on his judgment be issued against
the said defendant immediately,

William V. Phillips
Plaintiff

Subscribed and sworn to before me this 1st. day of
September 1952.

Fred F. Smith Jr.
Notary Public





CLERK OF COURT

1923.

to be said before me this 1st day of

RESPECTFULLY

[Handwritten signature]

and my defendant immediately.

attendant boys were accused on his judgment he feared against
of cotton located in William Conna; therefore, therefore,

is selling and disposing of his property consisting of a crop
of losing the part of his judgment of early because the defendant
against W.M. KODILL; and the claims and plaintiff is in general

1921 and the case of court before said and is

of \$330.20 together with interest since the 24th day of
same and that judgment has been rendered for him in the
before and set out to be the plaintiff in the above
observed William A. KODILL, who being by me vice with sworn
before me, May 11, 1923, before me, before me, before me

COULD OF KODILL

STATE OF VIRGINIA

1

Defendant

W.M. KODILL

v.

Plaintiff

W.S.W

CASE NO. 1022

Wm. Reed & Tom Conner
and other parties as parties
WILLIAM A. KODILL, Plaintiff
WILLIAM A. KODILL and

WILLIAM KODILL, PLAINTIFF
IN THE CIRCUIT COURT OF

FILED
SEP 2 - 1952
ALICE A. DUCK, Clerk

[Handwritten mark]

FRED F. SMITH, JR.

ATTORNEY AT LAW
70 MAIN STREET
PRICHARD, ALA.

PHONE 6-7318

P. O. BOX 3422

September 1, 1952

Mrs. Alice Duck
Clerk of Circuit Court
Baldwin County, Alabama

RE: Judgment and execution
William V. Phillips and
Lambert C. Mims, individually
and d/b/a Phillips-Mims
Feed and Flour Co. *v. W.M. Mc Dill*
Case No. 1835

Dear Mrs. Duck:

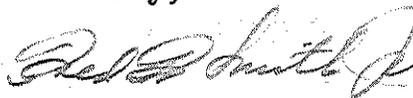
Enclosed is motion for default judgment and non-military affidavit in a bove styled cause. If the Judge is in could a judgment be entered immediately? If necessary, Mr. J.B. Blackburn, would appear in my behalf to save me a trip to Bay Minette.

Also enclosed is affidavit for immediate execution to be issued. I am writing the sheriff a letter along with this one.

Enclosed is check for \$1.00 to cover certificate and recording of same if you would please do that for me.

Thank you very much.

Sincerely,



Fred F. Smith Jr.

enclosures
copy JBB

FRED F. SMITH, JR.

ATTORNEY AT LAW
70 MAIN STREET
PRICHARD, ALA.

PHONE 6-7318

July 21, 1952

P. O. BOX 3422

Mrs. Alice J. Duck
Clerk-Register
Baldwin Circuit Court
Bay Minette, Alabama

RE: Phillips-Mims Feed &
Flour Co.
vs
W. M. McDill

Dear Mrs. Duck:

Please file the enclosed case for me. I would also appreciate your sending me notice of date of trial or notice of any pleadings filed or set down for hearing etc. Thank you for your attention to the matter.

Sincerely,



Fred F. Smith, Jr.

FFS/s
encl.

1835

William D. Phillips &
Lambert C. Mims d/b/a
Phillips-Mims Feed & Flour Co

vs.

W. M. McNeill

on account

WILLIAM V. PHILLIPS and LAMBERT
C. MIMS, individually and
d/b/a PHILLIPS-MIMS FEED &
FLOUR COMPANY,

Plaintiffs

vs.

W. M. McDILL,

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. _____

C O M P L A I N T

COUNT I. The plaintiffs claim of the defendant the sum of Two Hundred Sixty-eight Dollars and Fifty Cents (\$268.50), due from him by account on, to-wit, the 24th day of April, 1951, which sum of money with the interest thereon is still unpaid.

An itemised statement of the account sued on, verified by the affidavit of a competent witness, is attached hereto as Exhibit A and made a part hereof.

COUNT II. The plaintiffs claims of the defendant the sum of Two Hundred Sixty-eight Dollars and Fifty Cents (\$268.50) due from him for merchandise, goods and chattels sold by the plaintiffs to the defendant on to-wit, the 24th day of April, 1951, which sum of money with the interest thereon is still unpaid.

An itemised statement of the account sued on, verified by the affidavit of a competent witness, is attached hereto as Exhibit A and made a part hereof.


Fred F. Smith, Jr.
Attorney for Plaintiffs

ADDRESS OF DEFENDANT:

Red Top Service Station
Bay Minette, Alabama

ITEMISED STATEMENT OF THE
ACCOUNT SUED UPON

SOLD TO: W. M. McDill
Bay Minette, Ala.
Invoice No. 21954
April 24, 1951

1 5-10 Meal	\$ 3.50
20 Sacks Soyland	53.00
	<u>\$ 56.00</u>

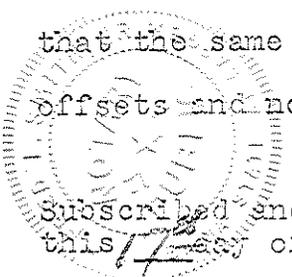
SOLD TO: W. M. McDill
Bay Minette, Ala.
Invoice No. 21956
April 24, 1951

80 Sacks Soyland	\$212.00
	<u>\$212.00</u>

BALANCE DUE \$268.00

STATE OF ALABAMA §
COUNTY OF MOBILE §

Before me, the undersigned authority in and for afore-
said County and State, personally appeared REECIE M. MIMS,
who having authority to make oath to the foregoing statement
and who is known to me, after having been first duly sworn on
oath, deposes and says that she as the head bookkeeper of the
PHILLIPS-MIMS FEED & FLOUR CO. has knowledge of the above and
foregoing itemized account and is duly authorized to make oath
that the same is true and correct as to all just credits and
offsets and no part of the same has been paid.



Subscribed and sworn to before me
this 7th day of July, 1952.

Reecie M. Mims
REECIE M. MIMS

[Signature]

FILED
 JUL 28 1952
 ALICE J. DUCK, Clerk

1835

FOR THE UNITED STATES DISTRICT COURT
 DISTRICT OF COLUMBIA

IN RE: [Illegible]

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[Illegible text]



SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 1835

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon W. M. McDill

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 _____

W. M. McDill _____, Defendant....

by William V. Phillips, and Lambert C. Mims, d/b/a PHILLIPS-MIMS FEED AND FLOUR COMPANY
_____, Plaintiff....

Witness my hand this 23rd day of July 1952..

Alice J. Luck _____, Clerk

No. 1835

RECORDED

No. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

WILLIAM V. PHILLIPS and LAMBERT

C. MIMS d/b/a PHILLIPS-Mims Feed and
Flour Co Plaintiffs
vs.

W. M. McDill

Defendants

SUMMONS and COMPLAINT

Filed 7-23-52, 19

Alice J. Luck, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

July 23, 1952

Taylor Williams, Sheriff

I have executed this summons

this *29-July*, 19*52*
by leaving a copy with

Wm. McDill

Taylor Williams, Sheriff
George Smith, Deputy Sheriff

WILLIAM V. PHILLIPS and
LAMBERT C. MIMS, individually
and doing business as Phillips-
Mims Feed & Flour Company

Plaintiff

v.

W.M. McDill

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO. 1835

MOTION FOR A DEFAULT JUDGMENT

Comes now the plaintiff by his attorney in the above styled
cause and files this motion and says:

That the plaintiff in the above styled cause filed suit
on an itemized sworn account on July 23, 1952 and that personal
service was had on the defendant on July 29, 1952. The defendant
having made no appearance is now in default of appearance
whereby the plaintiff moves that a judgment be entered for the
plaintiff for \$268.50 together with interest since the 24th.
day of April 1951 and the costs of court and offers into
evidence the itemized sworn account filed with the complaint
in this cause and the non-military affidavit attached hereto
with this motion.


Fred F. Smith Jr.
Attorney for Plaintiff

WILLIAM V. PHILLIPS and
LAMBERT C. MIMS, individually
and doing business as Phillips-
Mims Feed & Flour Company.

Plaintiff

va.

W.M. McDILL

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
CASE NO. 1835

NON MILITARY AFFIDAVIT

STATE OF ALABAMA
COUNTY OF MOBILE

RECORDED

Before me, Fred F. Smith Jr., Notary Public, in and for said State and County, personally appeared William V. Phillips of Phillips-Mims Feed & Flour Company, plaintiff in the above styled cause, who is known to me and who by me being first duly sworn doth depose and say:

That he is plaintiff in the case of William V. Phillips and Lambert C. Mims, individually and doing business as Phillips-Mims Feed & Flour Company Vs. W.M. McDill, which is now pending for trial in the Circuit Court of Baldwin County, Alabama, at Law; that W.M. McDill who is the defendant in the above styled cause, and who is in default of any appearance, and who has not demurred, pleaded or answered to the complaint in this cause, is not at this time a person in the military service of the United States, or in any branch of said service, but that he is a resident of Baldwin County, Alabama; all this of which the plaintiff knows of his own knowledge.

William V. Phillips
William V. Phillips

Subscribed and sworn to before me this 1st. day of September 1952.

Fred F. Smith Jr.
Fred F. Smith Jr.
Notary Public State at Large
My commission expires March 30, 1955.

