

1949

SUMMONS

STATE OF ALABAMA

1

TO ANY SHERIFF OF

BALDWIN COUNTY

1

THE STATE OF ALABAMA:

You are hereby commanded to summon JOHN C. PULLIAM 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 the same, then and there to answer the complaint of GOODYEAR TIRE AND RUBBER COMPANY, INC., a Corporation.

Witness my hand, this 18th day of March, 1953.

Alvin J. Renck

Clerk of the Circuit Court of Baldwin
County, Alabama

Defendant may be served at:

Route 1
Loxley, Alabama

(For further information as to location of Defendant, please contact Mr. Ed or Frank Middleton who run a big trucking concern located right off of main highway in Loxley, Alabama)

GOODYEAR TIRE AND RUBBER
COMPANY, INC., a Corpor-
ation,

Plaintiff

-VS-

JOHN O. PULLIAM,

Defendant

IN THE CIRCUIT COURT

OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1949

COUNT ONE

Plaintiff claims of the Defendant the sum of, to-wit,
Two Hundred Two and 83/100 (\$202.83) Dollars, for merchan-
dise, goods and chattels sold by the Plaintiff to the Defen-
dant according to the terms and provisions of a written
sales contract executed between the Plaintiff and the Defen-
dant on, to-wit, the 10th day of April, 1952, and payable on,
to-wit, the 10th day of October, 1952, which sum of money,
with interest thereon, is still unpaid.

Plaintiff further claims of the Defendant a reasonable
attorney's fee as provided for in said contract.

HOLBERG, TULLY & ALDRIDGE
Suite 631-6 First National Bank Bldg.
Mobile, Alabama
Attorneys for Plaintiff

By Mitchell Lottol
Associate Appearing

Defendant may be served at:

Route 1
Loxley, Alabama

Received in Sheriff's Office
this 18 day of March 1953
TAYLOR WILKINS, Sheriff

NO 1949

ORIGINAL

Goodyear Tire & Rubber
Inc. a corp

vs.

John O. Pulliam

Received 18 day of March 1953
and on 18 day of March 1953
I served a copy of the within _____
on _____

By service on John O. Pulliam

TAYLOR WILKINS, Sheriff
B, 18 7 1953 D.S.

FILED

3-18-53

ALICE J. DUCK, Clerk

GOODYEAR TIRE AND RUBBER
COMPANY, INC., a Corporation,

PLAINTIFF,

VS

JOHN C. PULLIAM,

DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

Comes the Defendant in the above styled cause and demurs to the amended bill of complaint filed therein and to each paragraph thereof separately and severally and for grounds therefor sets out separately and severally the following:

1.

For ought that appears, Plaintiff failed to perform his obligations to the Defendant.

2.

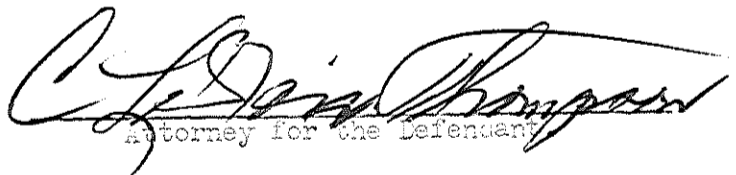
For ought that appears, the terms of the alleged contract was not complied with by the Plaintiff.

3.

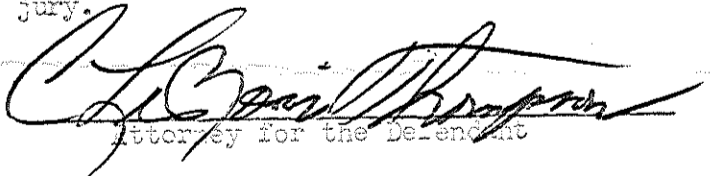
For ought that appears, there was a breach of said contract on the part of the Plaintiff.

4.

For ought that appears the terms of the alleged contract are not shown.


Attorney for the Defendant

Defendant demands a trial by jury.


Attorney for the Defendant

1949

Long

GOODYEAR TIRE AND RUBBER
COMPANY, INC., a corporation,

PLAINTIFF,

VS

JOHN O. PULLIAM,

DEFENDANT.

[Handwritten signatures and notes in the center of the page]

FILED

4-13-53

ALICE L. QUEN, Clerk

LAW OFFICES
HOLBERG, TULLY AND ALDRIDGE

SUITE 631-636 - FIRST NATIONAL BANK BLDG.

P. O. BOX 47

MOBILE 1, ALABAMA

March 17, 1953

RALPH G. HOLBERG, JR.
ALBERT J. TULLY
HENRI M. ALDRIDGE
MITCHELL G. LATTOF

Hon. Alice J. Duck
Clerk of the Circuit Court
Baldwin County
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed please find a summons and complaint with copy that we are filing for the Goodyear Tire and Rubber Company against John O. Pulliam. We would appreciate your notifying us when the return is made by the Sheriff's office.

Thanking you for any assistance you might render us,
we are

Very truly yours,

HOLBERG, TULLY & ALDRIDGE

By


Mitchell Lattof

Encls.

ML/hs

1949

Goodyear Tire & Rubber Co
Inc. a corp.

vs

John O. Pulliam

on account

FILED

3-18-53

ALICE I. DUCK, Register

Walking, Tully & Adridge

GOODYEAR TIRE AND RUBBER
COMPANY, INC., a Corpor-
ation,

Plaintiff

-VS-

JOHN O. PULLIAM,

Defendant

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§

§

IN THE

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

Comes now the Plaintiff in the above styled cause and amends his complaint heretofore filed by adding the following seperate and several counts, to-wit:-

COUNT TWO

The Plaintiff claims of the Defendant the sum of, to-wit, Two Hundred Two and 83/100 (\$202.83) Dollars, damages for the breach of a written agreement, entered into by him on, to-wit, the 10th day of April, 1952, in substance as follows: That Plaintiff would deliver to the possession of the Defendant the following merchandise, to-wit, Six (6) 825X20 10 ply Road Lug Truck Tires and Six (6) 825X20 Heavy Duty Truck Tubes, and in consideration of the delivery of said merchandise to Defendant, the Defendant agreed to make a down payment of \$122.34 and to pay the balance of \$538.28 in installments of \$89.70, said installments to paid on the 10th day of each month, beginning on the 10th day of May, 1952, and each month thereafter, consecutively, until paid in full. And the Plaintiff says that, although it has complied with all its provisions on its part, the Defendant has failed to comply with the following provisions thereof, viz: Said Defendant failed to pay the sum of \$89.70 each month as agreed, wherefore the amount of \$202.83 is overdue and still owed to the Plaintiff by the Defendant, hence this suit.

Plaintiff further claims of the Defendant a reasonable attorney's fee as provided for in said written agreement.

COUNT THREE

The Plaintiff claims of the Defendant the sum of, to-wit, Two Hundred Two and 83/100 (\$202.83) Dollars, due from him for merchandise, goods and chattels sold by the Plaintiff to the Defendant on, to-wit, the 10th day of April, 1952,

which sum of money, with the interest thereon, is still unpaid.

Plaintiff further claims of the Defendant a reasonable attorney's fee as provided for in the written sales agreement executed by the Plaintiff and Defendant on the day and date of said sale.

HOLBERG, TULLY & ALDRIDGE
Attorneys for Plaintiff

By Mitchell Lott
Associate Appearing

1949

RECEIVED
UNIVERSITY MICROFILMS

RECEIVED
UNIVERSITY MICROFILMS

FILED

H-20-5-3

ALICE J. DUCK, Registrar

GOODYEAR TIRE AND RUBBER
COMPANY, INC., a Corpor-
ation,

Plaintiff

-VS-

JOHN O. PULLIAM,

Defendant

IN THE
CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

INTERROGATORIES PROPOUNDED BY THE PLAINTIFF TO THE DEFENDANT
AS PROVIDED BY SECTION 447 OF TITLE 7, OF THE CODE OF ALABAMA
1940.

1. Please give your full name, age and address.
2. Please state your present occupation.
3. Please state whether on or about April 10, 1952, you purchased from the Goodyear Tire and Rubber Company, Inc., at Mobile, Alabama, the following merchandise: Six (6) 825X20 10 ply Road Lug Truck Tires and Six (6) 825X20 Heavy Duty Truck Tubes.
4. Please state whether you purchased the aforesaid tires and tubes under an installment payment agreement.
5. If the answer to interrogatory no. 4 is YES, please state the balance, if any, that you presently owe to the Goodyear Tire and Rubber Company, Inc., for said tires and tubes.
6. Please state whether you are indebted to the Goodyear Tire and Rubber Company, Inc., in the amount of \$202.83 as the balance due on said tires and tubes.
7. If the answer to interrogatory no. 6 is NO, please state the amount that you are indebted to the Goodyear Tire and Rubber Company, Inc., as the balance due on said tires and tubes, and include an itemized statement as to the manner in which you arrived at said balance.

HOLBERG, TULLY & ALDRIDGE
Attorneys for Plaintiff

By Mitchell Lattor
Mitchell Lattor, Associate

STATE OF ALABAMA)
COUNTY OF MOBILE)

Before me, James M. Campbell, Notary Public
in and for said county in said State, personally appeared
MITCHELL LATTOF, known to me, who, being first duly sworn, de-
poses and says that he is one of the attorneys of record for the
Plaintiff in the above styled cause; and that the answers to the
interrogatories propounded by the Plaintiff to the Defendant
herein, truthfully made, will be material evidence for the Plain-
tiff in the trial of the above styled cause.

Mitchell Lattor
Subscribed and sworn to before me,
this the 20th day of April, 1953.

James M. Campbell
NOTARY PUBLIC, MOBILE COUNTY, ALA.

1949

May

Received in Sheriff's Office
this 27 day of Apr, 1953
TAYLOR WILKINS, Sheriff

Goodyear Tire &
Rubber Co

VS

John O. Pulliam

ved _____ day of _____ 19____
on 11 day of May 1953
ed a copy of the within _____

ervice on John O. Pulliam

TAYLOR WILKINS, Sheriff
By W F Hall D. S.

FILED

4-20-53

ALICE J. DICK, Register

GOODYEAR TIRE AND RUBBER
COMPANY, INC., a Corporation,

PLAINTIFF,

VS

JOHN O. PULLIAN,

DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

Now comes the Defendant in the above styled cause and answer to the
interrogatories filed therein are as follows:

1.

As to Count One, J. O. Pullian, over the age of 21, Loxley, Alabama.

2.

As to Count Two, Farming.

3.

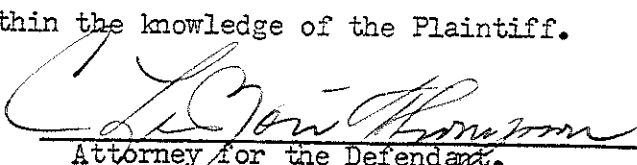
As to Count Three, Defendant moves to strike on the grounds that the
information stated therein is within the knowledge of the Plaintiff.

4.

As to Count Four, Defendant moves to strike on the grounds that the
information ~~stated~~ ^{demanded} therein is within the knowledge of the Plaintiff.

5.

As to Count Six, Defendant moves to strike on the grounds that the
information ~~stated~~ ^{demanded} therein is within the knowledge of the Plaintiff.


Attorney for the Defendant.

1949
GOODYEAR TIRE AND RUBBER
COMPANY, INC., a Corporation,

VS

JOHN O. PULLIAN, DEFENDANT.

Answer to the Interrogatories

FILED
MAY 12 1953
ALICE L. DUCK, CLERK

G. LENOIR THOMPSON
ATTORNEY-AT-LAW
BAY MINETTE, ALA.

GOODYEAR TIRE AND RUBBER
COMPANY, INC., a Corporation,

Plaintiff,

Vs.

JOHN O. PULLIAM,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW.

Comes the Defendant in the above styled cause and for answer to said
complaint says separately and severally:

1.

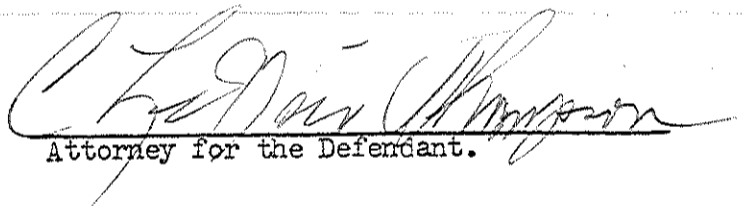
As to Count One he denies the allegations thereof.

2.

As to Count Two he denies the allegations thereof.

3.

As to Count Two he denies the allegations thereof.


Attorney for the Defendant.

1949

GOODYEAR TIRE AND RUBBER
COMPANY, INC., a Corporation,

Plaintiff

vs

JOHN O. PULLIAM,

Defendant

Answer

FILED
MAY 20 1953
ALICE J. DUCK, Clerk